The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

[illegible]
38
J 20604
4664 K

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF KANSAS,

BEGUN AND HELD AT THE CITY OF LECOMPTON, ON THE SECOND
MONDAY (12TH) OF JANUARY, 1857.

THE LIBRARY
OF CONGRESS

LECOMPTON:
R. H. BENNETT, PUBLIC PRINTER.
1857.

2101

J87
K2
1857c

JOURNAL.

At the second session of the Legislative Assembly of the Territory of Kansas, begun and held at the city of Lecompton, on Monday, the 12th day of January, in the year of our Lord one thousand eight hundred and fifty-seven.

MONDAY, JANUARY 12, 1857.

Hon. Daniel Woodson, Secretary of the Territory, called the House of Representatives to order, and James M. Lyle, former clerk of the last House, called the names of the members holding certificates of election, when the following gentlemen presented their certificates and were duly sworn in by S. G. Cato, Associate Justice of the Supreme Court of Kansas Territory.

Leavenworth county—J. W. Martin, M. R. Walker, W. G. Matthias, and D. J. Johnson.
Atchison county—Joseph P. Carr, Richard L. Kirk and Wm. Young.
Doniphan county—X. K. Stout, B. O'Driscoll and T. W. Waterson.
Jefferson county—W. H. Tebbs.
Calhoun county—James Kuykendall.
Marshall county—W. H. Jenkins.
Riley county—Russell Garrett.
Bourbon county—W. W. Spratt.
Bourbon and Allen counties—B. Brantly.
Lykins and Linn counties—James P. Fox.
Madison and Breckenridge counties—Geo. H. Reese, Sol. G. Brown.
Douglas county—Jos. C. Anderson, J. C. Thompson, James Garvin, O. H. Brown and H. Butcher.
Linn county—J. Davis.
Anderson county—Joel R. Fain.
Franklin and Anderson counties—J. M. Bernard.
Nemaha county—Cyrus Dolman.
Arrappahoe county—Ben. F. Simmons.
Allen county—Alfred Laws.
Shawnee county—Charles S. McKenney.

The Chair announced that the first business in order was the election of a Speaker.

Whereupon,

O. H. Brown nominated J. C. Anderson, of Douglas county.
D. J. Johnson nominated W. G. Matthias, of Leavenworth.
B. O'Driscoll nominated T. W. Waterson, of Doniphan.
W. H. Tebbs nominated J. Kuykendall, of Calhoun.
R. L. Kirk nominated W. H. Tebbs, of Jefferson.

Mr. Thompson moved that the House vote by ballot for Speaker. Carried.

On motion of Mr. Thompson, the Chair appointed two tellers—Messrs. Thompson and O'Driscoll.

On motion of Mr. Thompson, the Reporter of the "Union" was allowed a seat within the bar of the House.

The House then proceeded to ballot for Speaker, which resulted as follows:

For W. G. Matthias,	12	votes.
" Jas. Kuykendall,	6	"
" Jas. C. Anderson,	5	"
" T. W. Waterson,	4	"
" W. H. Tebbs,	2	"
" B. Brantly,	1	"
" R. L. Kirk,	1	"
Whole number,	31	

Necessary to a chice, 16, and there was no election.

The House then proceeded to a second ballot, which resulted as follows:

For W. G. Matthias,	8	votes.
" Jas. Kuykendall,	9	"
" T. W. Waterson,	6	"
" J. C. Anderson,	5	"
" Jos. P. Carr,	2	"
" W. H. Tebbs,	1	"
Whole number,	31	

Necessary to a choice, 16, and there was no election.

Mr. W. A. N. Vaughan, a member from Shawnee county, presented his credentials, and was duly sworn in.

A message from the Council, through the hands of the Chief Clerk, viz:

Resolved, That the House of Representatives be now informed that the Council is fully organized, and the officers consist of Thomas Johnson, President; R. R. Rees, President *pro tem.*; Thomas C. Hughes, Chief Clerk; Chas. H. Grover, Assistant Clerk; D. Scott Boyle, Engrossing Clerk; Samuel J. Cramer, Sergant-at-Arms; and ——— Allen, Door-keeper.

The House then proceeded to a third ballot, which resulted as follows:

For W. G. Matthias,	10 votes.
" J. Kuykendall,	9 "
" J. C. Andersen,	7 "
" T. W. Waterson,	4 "
" J. P. Carr,	1 "
" R. L. Kirk,	1 "
Whole number,	32

Necessary to a choice, 17, and there was no election.

B. O'Driscoll moved that the next ballot be for the first and second choice of the members for Speaker. Lost.

Mr. Thompson moved that on each successive ballot the person receiving the least number of votes be dropped until the number of candidates be limited to two.

Pending which,

Mr. Brown, of Madison and Breckenridge, moved that the House adjourn to 3½ o'clock, P. M.

The ayes and noes were demanded, and the House adjourned by

Ayes—Messrs. Anderson, Brown (of Douglas), Butcher, Brown (of Madison and Breckenridge), Branlly, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Jenkins, Kuykendall, Laws, McKenney, Reese, Stout, Spratt, Thompson, Waterson and Walker—23.

Noes—Messrs. Johnson, Kirk, Martin, Matthias, O'Driscoll, Simmons, Tebbs, Vaughan and Young—9.

AFTERNOON SESSION.

House met pursuant to adjournment.

M. P. Randall, the member elect from Johnson county, presented his credentials, and was duly sworn in.

The question then being upon the motion of Mr. Thompson, "That on each successive ballot the person receiving the least number of votes be dropped until the number be limited to two," was lost.

Mr. O'Driscoll offered the following resolution, which was adopted:

Resolved, That the vote ordering the election of a Speaker by ballot be reconsidered.

Mr. O'Driscoll offered the following resolution, which was adopted:

Resolved, That the House proceed to elect a Speaker *viva voce*, at the call of the roll.

The House then proceeded to the election of a Speaker, and the roll being called, resulted as follows:

For W. G. Matthias—Messrs. Butcher, Brown (of Madison and Breckenridge), Brantly, Bernard, Davis, Fox, Johnson, Kuykendall, Kirk, Martin, McKenney, Reese, Spratt, Simmons, Thompson, Tebbs and Vaughan—17.

For Jos. C. Anderson—Messrs. Brown (of Douglas,) Carr, Fain, Garvin, Jenkins, Laws, Waterson, Young and Randall—9.

For T. W. Waterson—Messrs. Anderson, Dolman, O'Driscoll and Stout—4.

For W. H. Tebbs—W. G. Matthias—1.

Absent—Messrs. Garrett, Walker and White.

Whole number of votes cast, 31. Necessary to a choice, 16.

W. G. Matthias, of Leavenworth county, having received a majority of the votes cast, was declared duly elected Speaker of the House.

On motion of Mr. Johnson, Mr. Matthias was declared unanimously elected Speaker.

The Chair appointed Mr. Martin to conduct Mr. Matthias to the chair, which being done, he was sworn in by Judge Cato, and took his position as Speaker.

The Speaker announced that nominations were in order for Speaker *pro tem.*

On motion of Mr. Anderson, W. H. Tebbs, of Jefferson county, was unanimously declared Speaker *pro tem.*

Nominations for Chief Clerk being in order,

J. C. Anderson nominated R. C. Bishop, of Lecompton.

J. P. Fox nominated B. F. Brantly, of Fort Scott.

D. J. Johnson nominated G. W. Purkins, of Leavenworth city.
W. H. Tebbs nominated W. Christison, of Leavenworth county.

On motion of Mr. Thompson, the election of Clerks was *viva voce*, at the call of the roll.

The roll being called, resulted as follows:

For R. C. Bishop—Messrs. Anderson, Brown (of Douglas), Butcher, Carr, Dolman, Fain, Garvin, Jenkins, Kuykendall, Kirk, Laws, O'Driscoll, Stout, Thompson, Waterson and Randall—16.

For B. F. Brantly—Messrs. Speaker, Brown (of Madison and Breckenridge), Brantly, Bernard, Davis, Fox, Martin, Reese, Spratt, Simmons and Vaughan—11.

For G. W. Purkins—Messrs. Johnson and Young—2.

For M. Christison—W. H. Tebbs—1.

Whole number of votes cast, 30. Necessary to a choice, 16.

R. C. Bishop having received the requisite number of votes, was declared duly elected, and sworn in.

On motion of Mr. Waterson, the House proceeded to the election of Assistant Clerk.

Mr. Jenkins nominated D. G. Fleming, of Leavenworth.
Dr. Garvin nominated Charles McCord, of Franklin county.

The roll being called, the vote resulted as follows:

For D. G. Fleming—Messrs. Speaker, Brown (of Douglas), Brown (of Madison and Breckenridge), Carr, Dolman, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, O'Driscoll, Stout, Spratt, Simmons, Thompson, Tebbs, Waterson and Young—19.

For C. McCord—Messrs. Anderson, Butcher, Brantly, Bernard, Davis, Fox, Fain, Garvin, McKenney, Reese, Randall and Vaughan—12.

Absent—Messrs. Garrett, Walker and White.

Whole number of votes cast, 31. Necessary to a choice, 16.

Mr. D. G. Fleming having received a majority of the votes cast, was duly elected Assistant Clerk, and was sworn in.

On motion of Mr. Thompson, proceeded to the election of a Sergeant-at-Arms.

Mr. Carr nominated John Robinson, of Atchison county.
Mr. Vaughan nominated E. L. Yates, of Atchison.

The roll being called, the vote resulted as follows:

For J. Robinson—Messrs. Speaker, Anderson, Brown (of Douglas), Butcher, Brown (of Madison and Breckenridge), Brantly, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Waterson and Young—30.

For E. L. Yates—Messrs. McKenney and Vaughan—2.

Whole number of votes cast, 32. Necessary to a choice, 17.

John Robinson having received the requisite number of votes, was declared duly elected Sergeant-at-Arms, and sworn in.

The House then proceeded to the election of Door-keeper.

Mr. Brantly nominated H. J. Jackson, of Anderson county.
Mr. Kuykendall nominated W. W. Cook.
Mr. Tebbs nominated W. F. Sharp.
Mr. Butcher nominated Geo. T. Keyser.
Mr. Johnson nominated Asa Vallandigham.
Mr. Garvin nominated John S. Hamilton.
Mr. Brown nominated Mr. Corlew.

The roll being called, the vote resulted as follows:

For H. J. Jackson—Messrs. Brown (of Madison and Breckenridge), Brantly, Davis, Dolman, Fox, Fain, Jenkins, O'Driscoll, Reese, Stout and Waterson—11.

For W. F. Sharp—Messrs. Speaker, Garrett, Martin, Simmons, Tibbs and Young—6.

For G. T. Keyser—Messrs. Butcher, Bernard, Carr, Laws and McKenney—5.

For J. S. Hamilton—Messrs. Garvin, Thompson and Vaughan—3.

For W. W. Cook—Messrs. Kuykendall and Randall—2.

For A. Vallandigham—Messrs. Johnson and Spratt.

For Mr. Corlew—Mr. Brown, of Douglas—1.

Whole number of votes cast, 30. Necessary to a choice, 16, and there was no election.

The roll being called a second time, the vote resulted as follows:

For H. J. Jackson—Messrs. Brown (of Madison and Breckenridge,) Brantly, Davis, Dolman, Fox, Fain, Garvin, Jenkins, Kuykendall, Laws, O'Driscoll, Reese, Stout, Thompson and Vaughan—15.

For W. F. Sharp—Messrs. Speaker, Johnson, Kirk, Martin, Simmons, Spratt, Tebbs, Waterson and Young—9.

For G. T. Keyser—Messrs. Butcher, Bernard, Carr, McKenney and Randall—5.

For J. S. Hamilton—Mr. Brown, of Douglas—1.

Whole number of votes cast, 30. Necessary to a choice, 16, and there was no election.

Mr. Tebbs withdrew the name of Mr. Sharp.

Mr. Thompson withdrew the name of Mr. Hamilton.

The roll was then called a third time, and the vote resulted as follows:

For H. J. Jackson—Messrs. Brown (of Madison and Breckenridge,) Brantly, Bernard, Davis, Dolman, Fox, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKenney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Young—26.

For G. T. Keyser—Messrs. Brown (of Douglas), Butcher, Carr, Garvin, and Mr. Speaker—5.

Whole number of votes cast, 31. Necessary to a choice, 16.

H. J. Jackson having received the requisite number of votes, was declared duly elected Door-keeper, and was sworn in.

Mr. Anderson moved that a committee of three on the part of the House, and two from the Council (the Council concurring) be appointed to wait on the Governor and inform him that the Legislature was fully organized and ready for any business he might have; also that the same committee of the House inform the Council of the organization of the House. Carried.

Committee—Messrs. Anderson, Jenkins and Brantly.

On motion of Mr. Anderson, the hall of the House was tendered to the Convention about to assemble.

On motion, the House then adjourned to to-morrow, at 10 o'clock.

TUESDAY, January 13, 1857.

House met pursuant to adjournment.

Mr. Anderson moved that the rules of the last House be adopted for the government of this body until changed. Carried.

On motion of Mr. Simmons, the reading of the Journal of yesterday was deferred to to-morrow.

Reports from committees being in order, the Committee appointed to apprise the Governor of the organization of the House, reported through their chairman, Mr. Anderson, that they had performed the duty, and that the Governor would confer with them during the morning in writing.

A message from the Governor, through the hands of his Private Secretary, was announced.

On motion of Mr. Anderson, the message was received, and was ordered to be read by the Governor's Private Secretary, Dr. Gihon.

MESSAGE OF THE GOVERNOR.

Gentlemen of the Council and of the House of Representatives :

The all-wise and beneficent Being, who controls alike the destinies of individuals and of nations, has permitted you to convene this day, charged with grave responsibilities.

The eyes not only of the people of Kansas, but of the entire Union, are upon you, watching with anxiety the result of your deliberations and of your joint action in the execution of the delicate and important duties devolving upon us.

Selected at a critical period in the history of the country to discharge the executive functions of this Territory, the obligations I was required to assume were of the most weighty importance; and when I came seriously to contemplate their magnitude, I would have shrunk from the responsibility, were it not for an implicit reliance upon Divine aid, and a full confidence in the virtue, zeal and patriotism of the citizens, without which the wisest executive suggestions must be futile and inoperative.

To you, legislators, invested with sovereign authority, I look for that hearty co-operation which will enable us successfully to guide the ship of State through the troubled waters into the haven of safety.

It is with feelings of profound gratitude to Almighty God, the bounteous giver of all good, I have the pleasure of announcing that, after the bitter contest of opinion through which we have recently passed, and which has unfortunately led to fratricidal strife, that peace, which I have every reason to believe will be permanent, now reigns throughout the Territory, and gladdens with its genial influences homes and hearts which but lately were sad and desolate; that the robber and the murderer have been driven from our soil; that burned cabins have been replaced by substantial dwellings; that a feeling of confidence and kindness has taken the place of distrust and hate; that all good citizens are disposed to deplore the errors and excesses of the past, and unite with fraternal zeal in repairing its injuries; and that this Territory, unsurpassed by any portion of the continent for the salubrity of its climate, the fertility of its soil, its mineral and agricultural wealth, its timber-fringed streams and fine quarries of building stone, has entered upon a career of unparalleled prosperity.

To maintain the advance we have made, and realize the bright anticipations of the future; to build up a model commonwealth, enriched with all the treasures of learning, of virtue, and religion; and make it a choice heritage for our children and generations yet unborn, let me, not only as your executive, but as a Kansan, devoted to the interests of Kansas, and animated solely by patriotic purposes, with all earnestness, invoke you, with one heart and soul, to pursue so high and lofty a course in your deliberations, as by its moderation and justice will commend itself to the approbation of the country, and command the respect of the people.

This being the first occasion afforded me to speak to the Legislative Assembly, it is but proper, and in accordance with general usage, that I should declare the principles which shall give shape and tone to my administration. These principles, without elaboration, I will condense into the narrowest compass:

"Equal and exact justice" to all men, of whatever political or religious persuasion; peace, comity and friendship with neighboring States and Territories, with a sacred regard for State rights, and a reverential respect for the integrity and perpetuity of the Union; a reverence for the federal constitution as the concentrated wisdom of the fathers of the republic, and the very ark of our political safety; the cultivation of a pure and energetic nationality, and the development of an exalted and intensely vital patriotism; a jealous regard for the elective franchise, and the entire security and sanctity of the ballot-box; a firm determination to adhere to the doctrines of self-government and popular sovereignty, as guarantied by the Organic Act; unqualified submission to the will of the majority; the election of all officers by the people themselves; the supremacy of the civil over the military authority; strict economy in public expenditures, with a rigid accountability of all public officers; the preservation of the public faith, and a currency based upon, and equal to, gold and silver; free and safe immigration from every quarter of the country; the cultivation of a proper territorial pride, with a firm determination to submit to no invasion of our sovereignty; the fostering care of agriculture, manufactures, mechanic arts, and all works of internal improvement; the liberal and free education of all the children of the Territory; entire religious freedom; a free press, free speech, and the peaceable right to assemble and discuss all questions of public interest; trial by juries, impartially selected; the sanctity of *the habeas corpus*; the repeal of all laws inconsistent with the constitution of the United States and the Organic Act; and the steady administration of the government, so as best to secure the general welfare."

These sterling maxims, sanctioned by the wisdom and experience of the past, and the observance of which has brought our country to so exalted a position among the nations of the earth, will be the steady lights by which my administration shall be guided.

A summary view of the state of the Territory, upon my advent, with an allusion to some of my official acts, may not be inappropriate to this occasion.

and may serve to inspire your counsels with that wisdom and prudence, by a contemplation of the frightful excesses of the past, so essential in the adoption of measures to prevent their recurrence, and enable you wisely to lay the broad and solid foundations of a future commonwealth, which may give protection and happiness to millions of freemen.

It accords not with my policy or intentions to do the least injustice to any citizen or party of men in this Territory or elsewhere. Pledged to do "equal and exact justice," in my executive capacity, I am inclined to throw the veil of oblivion over the errors and outrages of the period antecedent to my arrival, except so far as reference to them may be necessary for substantial justice, and to explain and develop the policy which has shed the benign influence of peace upon Kansas, and which, if responded to by the Legislature in a spirit of kindness and conciliation, will contribute much to soothe those feelings of bitterness and contention, which, in the past, brought upon us such untold evils.

I arrived at Fort Leavenworth on the ninth day of September last, and immediately assumed the executive functions. On the eleventh, I issued my inaugural address, declaring the general principles upon which I intended to administer the government. In this address, I solemnly pledged myself to support the constitution of the United States, and to discharge my duties as Governor of Kansas with fidelity; to sustain all the provisions of the Organic Act, which I pronounced to be "eminently just and beneficial;" to stand by the doctrine of popular sovereignty, or the will of the majority of the actual *bona fide* inhabitants, when legitimately expressed, which I characterized "the imperative rule of civil action for every law-abiding citizen." The gigantic evils under which this Territory was groaning were attributed to outside influences, and the people of Kansas were earnestly invoked to suspend unnatural strife, to banish all extraneous and improper influences from their deliberations; and, in the spirit of reason and mutual conciliation, to adjust their own differences. Such suggestions in relation to modifications of the present statutes, as I deemed for the public interest, were promised at the proper time. It was declared that this Territory is the common property of the people of the several States, and that no obstacle should be interposed to its free settlement, while in a territorial condition, by the citizens of every State of the Union. A just territorial pride was sought to be infused; a pledge was solemnly given to know no party, no section, nothing but Kansas and the Union; and the people were earnestly invoked to bury the past in oblivion—to suspend hostilities, and refrain from the indulgence of bitter feeling; to begin anew; to devote themselves to the true and substantial interests of Kansas; develop her rich, agricultural and mineral resources; build up manufactures; make public roads and other works of internal improvement; prepare amply for the education of their children; devote themselves to all the arts of peace, and make this Territory the sanctuary of those cherished principles which protect the inalienable rights of the individual, and elevate States in their sovereign capacities.

The foregoing is a brief summary of the principles upon which my administration was commenced. I have steadily adhered to them, and time and trial have but served to strengthen my convictions of their justice.

Coincident with my inaugural were issued two proclamations—the one disbanding the Territorial militia, composed of a mixed force of citizens and others, and commanding "all bodies of men combined, armed and equipped with munitions of war, without authority of the government, instantly to disband or quit the Territory, as they would answer the contrary at their peril;" the other ordering "all free male citizens qualified to bear arms, between the ages of eighteen and forty-five years, to enrol themselves, that they might be completely organized by companies, regiments, brigades and divisions, and hold themselves in readiness to be mustered, by my order, into the service of the United States, upon requisition of the commander of the military department in which Kansas is embraced, for the suppression of all unlawful combinations, and for the maintenance of public order and civil government."

The policy of these proclamations is so evident, and their beneficial effects have been so apparent, as to require no vindication.

The Territory was declared by the Acting Governor to be in a state of insurrection; the civil authority was powerless—entirely without capacity to vindicate the majesty of the law and restore the broken peace; the existing difficulties were of a far more complicated nature than I had anticipated; predatory bands, whose sole aim, unrelieved by the mitigation of political causes, was assassination, arson, plunder and rapine, had undisturbed possession of some portions of the Territory, while every part of it was kept in constant alarm and terror by the advocates of political sentiments, uniting according to their respective sympathies in formidable bodies of armed men, completely equipped with munitions of war and resolved upon mutual extermination as the only hope of peace; unoffending and peaceable citizens were driven from their homes; others murdered in their own dwellings, which were given to the flames; that sacred respect for woman, which has characterized all civilized nations, seemed in the hour of mad excitement to be forgotten; partizan feelings, on all sides, intensely excited by a question which inflamed the entire nation, almost entirely closed the minds of the people against me; idle and mendacious rumors, well calculated to produce exasperation and destroy confidence, were everywhere rife; the most unfortunate suspicions prevailed; in isolated country places no man's life was safe; robberies and murders were of daily occurrence; nearly every farm house was deserted, and no traveller could safely venture on the highway without an escort. This state of affairs was greatly aggravated by the intemperance of prominent politicians outside of the Territory.

The foregoing is but a faint outline of the fearful condition of things which ruled Kansas and convulsed the nation. The full picture will be drawn by the iron pen of impartial history, and the actors in the various scenes will be assigned their true positions.

I came here a stranger to your difficulties, without prejudice, with a solemn sense of my official obligations, and with a lofty resolution to put a speedy termination to events so fraught with evil, and which, if unchecked, would have floated the country into the most bloody civil war.

Hesitation, or partizan affiliations, would have resulted in certain failure, and only served further to complicate affairs. To restore peace and order, and relieve the people from the evils under which they were laboring, it was necessary that an impartial, independent and just policy should be adopted, which would embrace in its protection all good citizens, without distinction of party, and sternly punish all bad men, who continued to disturb the public tranquility. Accordingly, my inaugural address and proclamations were immediately circulated among the people, in order that they might have early notice of my intentions.

On the fourteenth day of September, reliable information was received that a large body of armed men were marching to attack Hickory Point, on the north side of the Kansas river. I immediately dispatched a squadron of United States Dragoons, with instructions to capture and bring to this place any persons whom they might find acting in violation of my proclamation. In pursuance of these instructions one hundred and one prisoners were taken, brought here, and committed for trial.

While a portion of the army was performing this duty, I was advised that a large body of men was approaching the town of Lawrence, determined on its destruction. I at once ordered three hundred United States troops to the place, and repaired there in person. Within four miles of Lawrence, I found a force of twenty-seven hundred men, consisting of citizens of this Territory, and of other places, organized as territorial militia, under a proclamation of the late Acting Governor. I disbanded this force, ordering the various companies composing it to repair to their respective places of rendezvous, there to be mustered out of service. My orders were obeyed; the militia retired to their homes; the effusion of blood was prevented; the preservation of Lawrence effected; and a great step made towards the restoration of peace and confidence.

To recount my various official acts, following each other in quick succession under your immediate observation, would be a work of supererogation, would occupy more space than the limits of an Executive Message would justify. My Executive minutes, containing a truthful history of my official transactions, with the policy which dictated them, have been forwarded to the General Government, and are open to the inspection of the country.

In relation to any alterations or modifications of the territorial statutes which I might deem advisable, I promised them in my inaugural address to direct public attention at the proper time. In the progress of events that time has arrived, and you are the tribunal to which my suggestions must be submitted. On this subject, I bespeak your candid attention, as it has an inseparable connection with the prosperity and happiness of the people.

It has already been remarked, that the territories of the United States are the common property of the citizens of the several States. It may be likened to a joint ownership in an estate, and no conditions should be imposed or restrictions placed upon the equal enjoyments of the benefits arising therefrom which will do the least injustice to any of the owners, or which is not contemplated in the tenure by which it is held, which is no less than the Constitution of the United States, the sole bond of the American Union. This being the true position, no obstacle should be interposed to the free, speedy, and general settlement of this Territory.

The durability and imperative authority of a State Constitution, where the interests of people require a State government, and a direct popular vote is necessary to give it sanction and effect, will be the proper occasion, once for all, to decide the grave political questions which underlie a well regulated commonwealth.

Let this, then, be the touchstone of your deliberations. Enact no law which will not clearly bear the constitutional test; and if any laws have been passed which do not come up to this standard, it is your solemn duty to sweep them from the statute book.

The territorial government should abstain from the exercise of authority not clearly delegated to it, and should permit all doubtful questions to remain in abeyance until the formation of a State Constitution.

On the delicate and exciting question of slavery, a subject which so peculiarly engaged the attention of Congress at the passage of our Organic Act, I cannot too earnestly invoke you to permit to remain where the Constitution of the United States and that act place it, subject to the decision of the courts upon all points arising during our present infant condition.

The repeal of the Missouri line, which was a restriction on popular sovereignty, consecrated anew the great doctrine of self-government, and restored to the people their full control over every question of interest to themselves, both north and south of that line.

Justice to the country and the dictates of sound policy require that the Legislature should confine itself to such subjects as will preserve the basis of entire equality; and when a sufficient population is here, and they choose to adopt a State government, that they shall be "perfectly free," without let or hindrance, to form all their domestic institutions "in their own way," and to dictate that form of government which in their deliberate judgment may be deemed proper.

Any attempt to incite servile insurrection and to interfere with the domestic institutions of sovereign states, is extremely reprehensible, and shall receive no countenance from me. Such intervention can result in no good, but is pregnant with untold disasters. Murder, arson, rapine and death follow in its wake, while not one link in the fetters of the slave is weakened or broken, or any amelioration in his condition secured. Such interference is a direct invasion of state rights, only calculated to produce irritation and estrangement. Every dictate of self-respect—every consideration of state equality—the glories of the past and the hopes of the future—all, with soulstirring eloquence, constrain us to cultivate a reverential awe for the Constitution as the sheet-anchor of our safety, and bid us, in good faith, to carry out all its provisions.

Many of the statutes are excellent, and well suited to our wants and condition; but in order that they may receive that respect and sanction which is the vital principle of all law, let such be abolished as are not eminently just and will not receive the fullest approbation of the people. I trust you will test them all by the light of the general and fundamental principles of our government, and that all that will not bear this ordeal, be revised, amended, or repealed. To some of them, which strike my mind as objectionable, your candid and special attention is respectfully invited.

By carefully comparing the organic act, as printed in the statutes, with a certified copy of the same Department the from of State, important discrepancies, omissions and additions will be discovered. I therefore recommend the appointment of a committee, to compare the printed statutes with the original rolls on file in the Secretary's office, to ascertain whether the same liberty has been taken with them as appears to have been taken with the act under which they were made.

Of the numerous errors discovered by me in the copy of the organic act as printed in the statutes, I will refer to one in illustration of my meaning. In the 29th section, defining the executive authority, will be found the following striking omission: "Against the laws of said Territory and reprieves for offences." This omission impairs the executive authority, and deprives the Governor of the pardoning power for offences committed against the laws of the Territory," which Congress, for the wisest and most humane reasons, has conferred upon him.

The organic act requires every bill to be presented to the Governor, and demands his signature, as the evidence of his approval, before it can become a law. The statutes are defective in this respect, as they do not contain the date of approval, nor the proper evidence of that fact, by having the Governor's signature.

Your attention is invited to chapter 30, in relation to county boundaries. The boundary of Douglas county is imperfect, and, in connection with Shawnee county, is an absurdity for both counties. The boundary lines of all the counties should be absolutely established.

Chapter 44, establishing the probate court, also requires attention. The act is good, generally, so far as it relates to the organization and duties of the court. But all provisions in this and other acts, vesting the appointment of Probate Judges, County Commissioners, and other public officers in the Legislative Assembly, should at once be repealed, and the unqualified right of election conferred upon the people, whose interests are immediately affected by the act of those officials. The free and unrestricted right of the people to select their own agents, is a maxim so well settled in political ethics, and springs so legitimately from the doctrines of self-government, that I need only allude to the question to satisfy every one of its justice. The "people must be perfectly free" to regulate their own business in their own way; and when the voice of the majority is fairly expressed, all will bow to it as the voice of God. Let the people, then, rule in every thing. I have every confidence in the virtue, intelligence and "sober thought" of the toiling millions. The deliberate popular judgment is never wrong. When in times of excitement the popular mind may be temporarily obscured from the dearth of correct information or the mists of passion, the day of retribution and justice speedily follows, and a summary reversal is the certain result. Just and patriotic sentiment is a sure reliance for every honest public servant. The sovereignty of the people must be maintained.

Section 15th of this act allows writs of *habeas corpus* to be issued by the probate judge, but leaves him no authority to hear the case and grant justice; but refers the matter to the "next term of the district court." The several terms of the district court are at stated periods, and the provision alluded to amounts to a denial of justice and a virtual suspension of "the great writ of liberty," contrary to the letter and spirit of the Constitution of the United States.

Many provisions of chapter 66, entitled "elections," are objectionable. Section 11th, requiring certain "test oaths" as prerequisite to the right of suffrage, is wrong, unfair and unequal upon citizens of different sections of the Union. It is exceedingly invidious to require obedience to any special enactment. The peculiar features of these test oaths should be abolished, and all citizens presumed to be law-abiding and patriotic until the contrary clearly appears. Sworn obedience to particular statutes has seldom secured that object. Justice will ever commend itself to the support of all honest men, and the surest means of insuring the ready execution of law is to make it so pre-eminently just, equal, and impartial, as to command the respect of those whom it is intended to affect.

Section 36 deprives electors of the great safeguard of the purity and independence of the elective franchise. I mean the right to vote by ballot; and after the first day of November, 1856, requires all voting to be *viva voce.* This permission, taken in connection with section 9th, which provides that "if all the votes offered can not be taken before the hour appointed for closing the polls, the judges shall, by public proclamation, adjourn such election until the following day, when the polls shall again be opened, and the election continued as before," &c., offers great room for fraud and corruption. Voting *viva voce*, the condition of the poll can be ascertained at any moment. If the parties having the election officers are likely to be defeated, they have the option of adjourning for the purpose of drumming up votes; or, in the insane desire for victory, may be tempted to resort to other means even more reprehensible.

The right of voting by ballot is now incorporated into the constitutions of nearly all the States, and is classed with the privileges deemed sacred. The arguments in its favor are so numerous and overwhelming, that I have no hesitation in recommending its adoption. The election law should be carefully examined, and such guards thrown around it as will most effectively secure the sanctity of the ballot-box, and preserve it from the taint of a single illegal vote. The man who will deliberately tamper with the elective franchise, and dare to offer an illegal vote, strikes at the fountain of justice, undermines the pillars of society, applies the torch to the temple of our liberties, and should receive severe punishment. As a qualification for voting, a definite period of actual inhabitancy in the Territory, to the exclusion of a home elsewhere, should be rigidly preserved. No man should be permitted to vote upon a floating residence. He should have resided within the Territory for a period of not less than ninety days, and in the district where he offers to vote, at least ten days immediately preceding such election. False voting should be severely punished, and false swearing to secure a vote visited with the pains and penalties of perjuries.

In this connection your attention is also invited to chapter 92, entitled "jurors." This chapter leaves the selection of jurors to the absolute discretion of the marshal, sheriff, or constable, as the case may be, and affords great room for partiality and corruption. The names of all properly qualified citizens, without party distinction, should be thrown into a wheel or box, and at stated periods, under the order of the courts, jurors should be publicly drawn by responsible persons. Too many safeguards can not be thrown around the right of trial by jury, in order that it may still continue to occupy that cherished place in the affections of the people so essential to its preservation and sanctity.

Some portions of chapter 110, "militia," infringes the executive prerogative, impairs the Governor's usefulness, and clearly conflicts with the organic act. This act requires the Executive to reside in the Territory, and makes him "Commander-in-chief of the Militia." This power must be vested in some place, and is always conferred upon the Chief Magistrate. Section 26th virtually confers this almost sovereign prerogative "upon any commissioned officer," and permits him "whenever and as often as any invasion or danger may come to his knowledge," to order out the militia or volunteer corps, or any part thereof, under his command, for the defence of the Territory," &c.; thus almost giving "any commissioned officer" whatever, at his option, the power to involve the Territory in war.

Section 12th provides for a general militia training on the first Monday of October, the day fixed for the general election. This is wrong, and is well calculated to incite to terrorism. The silent ballots of the people, unawed by military display, should quietly and definitely determine all questions of public interest.

The other sections of the law, requiring the appointment of field and commissioned officers, should be repealed. All officers should derive their authority directly from their respective commands, by election. To make the military system complete and effective, there must be entire subordination and unity running from the commander-in-chief to the humblest soldier, and one spirit must animate the entire system.

The 122d chapter, in relation to "patrols," is unnecessary. It renders all other property liable to heavy taxation for the protection of slave property; thus operating unequally upon citizens, and is liable to the odious charge of being a system of espionage, as it authorizes the patrols (an indefinite number of whom may be appointed) to visit not only negro quarters, but "any other places" suspected of unlawful assemblages of slaves.

Chapter 131, "pre-emption," squandered the school fund, by appropriating the school sections contrary to the organic act, which provides "that sections numbered sixteen, and thirty-six in each township in Kansas Territory shall be, and the same are hereby reserved for the purpose of being applied to schools in said Territory, and in the States and Territories to be erected out of the same;" contravenes the United States pre-emption laws, which forbid trafficking in claims and holding more than one claim; and directs the Governor to grant patents for lands belonging to the United States, and only conditionally granted to the Territory. This act is directly calculated to destroy the effect of a munificent grant of lands by Congress for educational purposes. The Territory is the trustee of this valuable gift, and posterity has a right to demand of us that this sacred trust shall remain unimpaired, in order that the blessings of free education may be shed upon our children.

Every State should have the best educational system which an intelligent government can provide. The physical, moral, and mental faculties should be cultivated in harmonious unison, and that system of education is the best which will effect these objects. Congress has already provided for the support of common schools. In addition to this, I would recommend the Legislature to ask Congress to donate land lying in this Territory for the establishment of a university, embracing a normal, agricultural, and a mechanical school. A university, thus endowed, would be a blessing to our people; disseminate useful and scientific intelligence; provide competent teachers for our primary schools; and furnish a complete system of education, adequate to our wants in all the departments of life.

The subject of roads, bridges, and highways, merits your especial attention. Nothing adds more to comfort, convenience, prosperity and happiness, and more greatly promotes social intercourse and kind feeling, than easy and convenient intercommunication. Roads should be wide and straight, and the various rivers and ravines substantially bridged.

Railroads should be encouraged; and in granting charters, the Legislature should have in view the interest of the whole people. The prosperity of the Territory is intimately connected with the early and general construction of this rapid and satisfactory means of transit.

While on the subject of internal improvements I would call to your notice, and solicit for it your serious consideration, the opening, at the earliest period, of a more easy means of communication with the sea-board than any we at present enjoy. One great obstacle to our prosperity, is the immense distance we occupy from all the great maritime depots of the country by any of the routes now travelled. This can be removed by the construction of a railway, commencing at an appropriate place in this Territory, and running southwardly through the Indian territory and Texas, to the most eligible point on the Gulf of Mexico. The entire length of such a road would not exceed six hundred miles, (much less than half the distance to the Atlantic,) and, at an ordinary speed of railroad travel, could be traversed in less than twenty-four hours. It would pass through a country remarkable for beauty of scenery, fertility of soil and salubrity of climate, and which has properly been styled, "the Eden of the world;" and would open up new sources of wealth superior to any that have yet been discovered on the eastern division of the continent. It would place Kansas, isolated as she now is, in as favorable a position for commercial enterprise as very many of the most prosperous States of the Union, and furnish her a sure, easy, and profitable market for her products, as well as a safe, expeditious and economical means of obtaining all her needed supplies at every season of the year. You will not fail at once to perceive the importance of this suggestion. Not only Kansas and Nebraska, but the entire country west of the Mississippi, will be vastly benefitted by its adoption. The advantages to Texas would be incalculable; and should you be favorably impressed with the feasibility of the plan, I would advise that you communicate, in your legislative capacity, with the Legislature of that State, and also with that of the Territory of Nebraska, in regard to the most effectual measures for its speedy accomplishment.

Chapter 149, permitting settlers to hold three hundred and twenty acres of land, is in violation of the pre-emption laws; and leads to contention and litigation.

Chapter 151, relating to "slaves," attacks the equality which underlies the very theory of our territorial government, and destroys the freedom of speech, and the privilege of public discussion, so essential to uncloak error and enable the people to properly mould their institutions in their own way. The freedom of speech and of the press, and the right of public discussion upon all matters affecting the interests of the people, are the great constitutional safeguards of popular rights, liberty and happiness.

The act in relation to a territorial library, makes the Auditor ex-officio Librarian, and gives him authority to audit his own accounts. These offices should be distinct, as their duties conflict.

The congressional appropriation for a territorial library has been expended in the purchase of a very valuable collection of books.

Time and space will not permit me to point out all the inconsistencies and incongruities found in the Kansas statutes. Passed, as they were, under the influence of excitement, and in too brief a period to secure mature deliberation, many of them are open to criticism and censure, and should pass under your careful revision, with a view to modification or repeal. Some which have been most loudly complained of, have never been enforced. It is a bad principle to suffer dead-letter laws to deface the statute book. It impairs salutary reverence for law, and excites in the popular mind a questioning of all law, which directly leads to anarchy and confusion. The best way is to leave no law on the statute book which is not uniformly and promptly to be administered with the authority and power of the government.

In travelling through the Territory, I have discovered great anxiety in relation to the damages sustained during the past civil disturbances, and everywhere the question has been asked as to whom they should look for indemnity. These injuries—burning houses, plundering fields, and stealing horses and other property—have been a fruitful source of irritation and trouble, and have impoverished many good citizens. They can not be considered as springing from purely local causes, and as such the subjects of territorial redress. Their exciting cause has been outside of this Territory, and the agents in their perpetration have been the citizens of nearly every State in the Union. It has been a species of national warfare waged upon the soil of Kansas; and it should not be forgotten that both parties were composed of men rushing here from various sections of the Union; that both committed acts which no law can justify; and the peaceful citizens of Kansas have been the victims. In adjusting the question of damages, it appears proper that a broad and comprehensive view of the subject should be taken; and I have accordingly suggested to the General Government the propriety of recommending to Congress the passage of an act providing for the appointment of a commission to take testimony and report to Congress for final action, at as early a day as possible.

There is not a single officer in the Territory amenable to the people or to the Governor; all having been appointed by the Legislature, and holding their offices until 1857. This system of depriving the people of the just exercise of their rights, can not be too strongly condemned.

A faithful performance of duty should be exacted from all public officers. As the Executive, I desire that the most cordial relations may exist between myself and all other departments of the government.

Homesteads should be held sacred. Nothing so much strengthens a government as giving its citizens a solid stake in the country. I am in favor of assuring to every industrious citizen one hundred and sixty acres of land.

The money appropriated by Congress for the erection of our capitol has been nearly expended. I have asked for an additional appropriation of fifty thousand dollars, which will scarcely be sufficient to complete the building upon the plan adopted by the architect.

Where crime has been so abundant, the necessity for a territorial penitentiary is too evident to require elaboration, and I have therefore suggested a congressional appropriation for this purpose.

The Kansas river, the natural channel to the west, which runs through a valley of unparalleled fertility, can be made navigable as far as Fort Riley, a distance of over one hundred miles, and Congress should be petitioned for aid to accomplish this laudable purpose. Fort Riley has been built at an expense exceeding five hundred thousand dollars, with the expectation that the river was navigable to that place, and doubtless the General Government will readily unite with this Territory to secure this object.

A geological survey, developing the great mineral resources of this Territory, is so necessary as merely to require notice. Provision for this useful work should immediately be made.

The early disposal of the public lands and their settlement, will materially advance our substantial prosperity. Great anxiety prevails among the settlers to secure titles to their lands. The facilities for this purpose, by but one land office in the Territory, are inadequate to the public wants, and I have consequently recommended the establishment of two or more additional land offices in such positions as will best accommodate the people.

After mature consideration, and from a thorough conviction of its propriety, I have suggested large congressional appropriations. The coming immigration, attracted by our unrivalled soil and climate, will speedily furnish the requisite population to make a sovereign State. Other Territories have been for years the recipients of congressional bounty, and a similar quantity of money and land bestowed upon them during a long period, should at once be given to Kansas, so, like the Eureka State, she will spring into full life; and the prosperity of the Territory, and the welfare and protection of the people coming here from every State of the Union, to test anew the experiment of republican government, require ample and munificent appropriations.

As citizens of a Territory, we are peculiarly and immediately under the protecting influence of the Union, and like the inhabitants of the States comprising it, feel a lively interest in all that concerns its welfare and prosperity. Within the last few years sundry conflicting questions have been agitated throughout the country, and discussed in a spirit calculated to impair confidence in its strength and perpetuity, and furnish abundant cause for apprehension and alarm. Those questions have mostly been of a local or sectional character, and as such should never have acquired general significance or importance. All American citizens should divest themselves of selfish considerations in relation to public affairs, and in the spirit of patriotism make dispassionate inquisition into the causes which have produced such alienation and bitterness among men whom the highest considerations require should be united in the bonds of fellowship.

All Union-loving men should unite upon a platform of reason, equality and patriotism. All sectionalism should be annihilated. All sections of the Union should be harmonized under a national, conservative government, as during the early days of the republic. The value of the Union is beyond computation; and no respect is due to those who will even dare to calculate its value. One of our ablest statesmen has wisely and eloquently said, "Who shall assign limits to the achievements of free minds and free hands under the protection of this glorious Union? No treason to mankind since the organization of society would be equal in atrocity to that of him who would lift his hand to destroy it. He would overthrow the noblest structure of human wisdom, which protects himself and his fellow-man. He would stop the progress of free government, and involve his country either in anarchy or despotism. He would extinguish the fire of liberty, which warms and animates the hearts of happy millions, and invites all the nations of the earth to imitate our example."

That soldier-President, whose exploits in the field were only equalled by his wisdom in the cabinet, with that singular sagacity which has stamped with the seal of prophecy all his foreshadowings, has repudiated, as morbid and unwise, that philanthropy which looks to the amalgamation of the American with any inferior race. The white man, with his intellectual energy, far-reaching science, and indomitable perseverance, is the peculiar object of my sympathy, and should receive the especial protection and support of government. In this Territory there are numerous "Indian reserves," of magnificent extent and choice fertility, capable of sustaining a dense civilized population, now held unimproved by numerous Indian tribes. These tribes are governed by Indian agents, entirely independent of the Executive of this Territory, and are indeed governments within a government. Frequent aggressions upon these reserves are occurring, which have produced collisions between the Indian agents and the settlers, who appeal to me for protection. Seeing so much land unoccupied and unimproved, these enterprising pioneers naturally question the policy which excludes them from soil devoted to no useful or legitimate purpose. Impressed with the conviction that the large Indian reserves, if permitted to remain in their present condition, can not fail to exercise a blighting influence on the prosperity of Kansas, and result in great injury to the Indians themselves, I shall be pleased to unite with the Legislature in any measures deemed advisable, looking to the speedy extinguishment of the Indian title to all surplus land lying in this Territory, so as to throw it open for settlement and improvement.

For official action, I know no better rule than a conscientious conviction of duty—none more variable than the vain attempt to conciliate temporary prejudice. Principles and justice are eternal; and if tampered with, sooner or later the sure and indignant verdict of popular condemnation against those who are untrue to their leadings will be rendered. Let us not be false to our country, our duty and our constituents. The triumph of truth and principle, not of partisan and selfish objects, should be our steady purpose—the general welfare, and not the interests of the few, our sole aim. Let the past, which few men can review with satisfaction, be forgotten. Let us not deal in criminations and recriminations; but, as far as possible, let us make restitution and offer regrets for past excesses. The dead, whom the madness of partisan fury has consigned to premature graves, cannot be recalled to life; the insults, the outrages, the robberies and murders, "enough to stir a fever in the blood of age," in this world of imperfection and guilt, can never be fully atoned for, or justly punished. The innocent blood, however, shall not cry in vain for redress, as we are promised by the Great Executive of the Universe, whose power is almighty, and whose knowledge is perfect, that He "will repay."

"To fight in a just cause and for our country's glory, is the best office of the best of men." Let "justice be the laurel" which crowns your deliberations; let your aims be purely patriotic and your sole purpose the general welfare and the substantial interests of the whole people. If we fix our steady gaze upon the constitution and the organic act, as "the cloud by day and the pillar of fire by night," our footsteps will never wander into any unknown or forbidden paths. Then will the Legislative Assembly be as a beacon light, placed high in the pages of our history, shedding its luminous and benign influence to the most remote generations; its members will be remembered with veneration and respect as among the early fathers of the magnificent commonwealth, which, in the not distant future, will overshadow with its protection a population of freemen unsurpassed by any State in this beloved Union for intelligence, wealth, religion, and all the elements which make and insure the true greatness of a nation; the present citizens of Kansas will rejoice in the benefits conferred; the mourning and gloom, which too long, like a pall, have covered the people, will be dispersed by the sunshine of joy with which they will hail the advent of peace, founded upon justice; we will enter upon a career of unprecedented prosperity; good feeling and confidence will prevail; the just rule of action which you are about to establish, will be recognized; the entire country, now watching your deliberations with momentous interest, will award you their enthusiastic applause; and above and over all, you will have the sanction of your own consciences, enjoy self-respect, and meet with Divine approbation, without which all human praise is worthless and unavailing.

JNO. W. GEARY.

Lecompton, K. T., January 12th, 1857.

After the reading of the message, Mr. Walker moved to print 1200 copies for the use of the members, and for distribution.

Mr. O'Driscoll moved to amend the motion by inserting 2500 instead of 1200.

Mr. Anderson moved as a substitute that —— copies of the message be printed.

The question being taken, the substitute prevailed.

Mr. Anderson then moved to fill the blank with 1500.

Mr. Kirk moved to amend by inserting 1000 instead of 1500.

Mr. S. G. Brown moved to amend the amendment by inserting 3000.

Mr. Stout moved to amend still further by filling the blank with 4000.

Mr. Jenkins moved to lay the last amendment on the table.

The ayes and noes being demanded, the amendment was laid on the table by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, S. G. Brown, Carr, Dolman, Fox, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Martin, McKenney, Reese, Simmons, Waterson, Walker and Young—21.

Noes—Messrs. Brantly, Bernard, Davis, Garvin, Laws, O'Driscoll, Randall, Stout, Spratt, Tebbs and Vaughan—11.

Absent—Messrs. Thompson and White.

Mr. Waterson moved to fill the blank with 2000.

The question recurring on the largest number, viz., to fill the blank with 3000; it was lost.

The vote then recurring on the proposition of Mr Waterson to fill the blank with 2000, the ayes and noes were demanded, and resulted as follows:

Ayes—Messrs. Speaker. O. H. Browne, Butcher, S. G. Brown, Brantly, Bernard, Davis, Dolman, Fox, Fain, Garvin, Garrett, Johnson, Laws, McKinney, O'Driscoll, Randall, Reese, Stout, Spratt, Simmons, Tebbs, Vaughan, Waterson and Walker—25.

Nays—Messrs. Anderson, Carr, Jenkins, Kuykendall, Kirk, Martin and Young—7.

Absent—Messrs. Thompson and White.

It was therefore ordered to fill the blank with 2000.

A message was here announced from the Council, through the hands of their Chief Clerk, that the Council had passed the following concurrent resolution:

Resolved, by the Council, the House of Representatives concurring therein, that a Joint Session of the two Houses be held to-morrow morning, at 10 o'clock, in the hall of the House, for the purpose of electing a Public Printer, in which they ask the concurrence of the House.

Mr. Anderson moved that the rules be suspended, and the joint resolution taken up. Carried.

On motion of Mr. Anderson, the House concurred in the joint resolution of the Council.

They then proceeded to the election of an Enrolling Clerk.

And on motion of Mr. Anderson, Mr. B. F. Brantly was declared unanimously elected.

The House then proceeded to the election of an Engrossing Clerk.

Mr. Jenkins nominated Mr. Westbrook, of Atchison county.

Mr. Garvin nominated Mr. E. M. Morgan, of Douglas county.

Mr. Vaughan nominated Mr. C. B. Huston, of Fort Scott.

The roll being called, the vote resulted as follows:

For C. B. Huston—Messrs. O. H. Browne, S. G. Brown, Davis, Dolman, Fox, Fain, Johnson, Kuykendall, Laws, McKinney, Reese, Spratt, Simmons, Vaughan and Randall—15.

For E. M. Morgan—Messrs. Anderson, Butcher, Bernard, Garvin, Martin and Tebbs—6.

For Mr. Westbrook—Messrs. Speaker, Carr, Jenkins, Kirk, O'Driscoll, Stout, Waterson and Young—8.

Absent—Messrs. Brantly, Garrett, Thompson. Walker and White.

Mr. Huston having received a requisite number of votes, was duly elected Engrossing Clerk.

Mr. Brantly moved that the printing of the message, as ordered, be given to the Union office of Lecompton.

Mr. Anderson moved as a substitute that Messrs. Brantly and O'Driscoll be appointed a committee to have the message printed.

The question recurring on the substitute, it prevailed.

Mr. Jenkins offered the following resolution, which was adopted:

Resolved, That this House tender the use of their hall to the Law and Order Convention to assemble at one o'clock this afternoon; and also every evening during their sitting.

On motion of Mr. Anderson, the House then adjourned till to-morrow at 10 o'clock.

WEDNESDAY, January 14, 1857.

House met pursuant to adjournment.

The roll being called, the following members were

Absent—Messrs. Anderson, Garvin, Garrett, Johnson, Thompson and White.

The Journals of the first and second days' proceedings were read and approved.

Propositions, resolutions and motions being in order,

Mr. Martin offered the following concurrent resolution:

Resolved by the House of Representatives, (the Council concurring,) That at the Joint Session this morning, an election for Superintendent of Public Printing be also gone into.

Mr. Walker moved to amend by adding, "also elect a county commissioner for Leavenworth county, in place of M. R. Walker, resigned."

Mr. Martin moved that the rules be suspended and the amendments read a second time. Carried.

The vote then being taken, the resolution, as amended, was adopted.

Mr. Simmons offered the following resolution:

Resolved, That a committee of three, on Rules of the House, be appointed to report on to-morrow morning at 10 o'clock.

On motion, the rules were suspended and the resolution adopted.

The Speaker announced the Committee on Rules—Messrs. Simmons, Waterson and Kuykendall.

Mr. Butcher offered the following resolution:

Resolved, That the Secretary of the Territory be requested to furnish a sufficient number of desks for the use of the members of this House.

Mr. Vaughan moved to amend by adding the words, "and seats for the lobby."

Mr. Fox moved to amend still further by adding, "also a water bucket, dipper, pan for the stove, one shovel and tongs."

On motion, the rules were suspended, and the resolution, as amended, adopted, viz:

Resolved, That the Secretary of the Territory be requested to furnish a sufficient number of desks for the use of the members of this House, and seats for the lobby; also a water-bucket, dipper, pan for the stove, and shovel and tongs.

On motion of Mr. Thompson, Mr. Butcher was appointed to inform the Secretary of the passage of the resolution.

Mr. Simmons moved that the Reporter of the Leavenworth Journal be admitted to a seat within the bar of the House.

Mr. Anderson moved as a substitute that the members of this House proceed to draw for their seats.

The question being taken upon the substitute, it prevailed.

Mr. Anderson moved that a recess of five minutes be taken by the House, so that the Door-keeper and Sergeant-at-Arms might number and arrange the desks. Carried.

AFTER RECESS, the House being called to order,

On motion of Mr. Anderson, the Reporter of the Journal was allowed a seat within the bar.

Mr. Anderson moved that the Council be informed that the House was now ready to go into Joint Session, under the resolution of yesterday, and ask their attendance. Carried.

Mr. Thompson offered the following resolution:

Resolved, That Thomas M. Crowder be declared second Assistant Clerk of this House, with the same pay as that of first Assistant Clerk.

On motion of Mr. Anderson, the rules were suspended, and the resolution read a second time.

On motion of Mr. Anderson, the rules were suspended, the resolution read a third time and put upon its passage.

A message was announced from the Council, through the hands of its Assistant Clerk, Mr. Grover, to-wit:

That the Council had disagreed to the joint resolution of the House, passed this morning, and returned the same for their consideration.

The Council and its officers were announced; the House rose to receive them, and the two bodies passed into Joint Session.

JOINT SESSION.

The President of the Council, Thomas Johnson, took the chair, and announced that the election of a Public Printer, in accordance with the concurrent resolution of yesterday, was the business now before the Joint Session, and that nominations for that office were now in order.

Mr. Marshall nominated Mr. R. H. Bennett, of Lecompton.

Mr. Carr nominated Dr. J. H. Stringfellow, of Atchison.

On motion of Mr. Anderson, the election was conducted *viva voce*.

The roll being called, resulted as follows:

For Mr. Bennett. Of the House—Messrs. Speaker, Anderson, O. H. Browne, Butcher, S. G. Brown, Brantly, Bernard, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Laws, Martin, McKinney, Reese, Spratt, Simmons, Thompson, Tebbs, Vaughan and Randall—25.

For Dr. Stringfellow. Of the House—Messrs. Carr, Kirk, O'Driscoll, Stout, Waterson, Walker and Young—7.

In the Council, Mr. Bennett received 8 votes; Dr. Stringfellow 3. Mr. Bennett having received a majority of the whole number of votes cast, was declared duly elected Public Printer.

On motion, the Joint Session was then dissolved.

The business of the House being resumed,

On motion of Mr. Anderson, the hall was tendered to the use of the Convention after one o'clock to-day.

The House then adjourned till to-morrow at 10 o'clock.

THURSDAY, January 15, 1857.

The House met pursuant to adjournment.

The roll being called, the following members were absent.

Messrs. Anderson, O. H. Browne, Johnson, Thompson, Tebbs and White.

The Journal of yesterday was read and approved.

Reports being in order, the Committee on Rules of the House, through their chairman, made the following report:

Mr. Speaker—The Committee appointed to report Rules for the government of this House, would beg leave to make the following report:

That the Rules of the last House of Representatives be adopted, with the following amendments:

That, in addition to the Standing Committees of the last House, there be added a Committee on Corporations, and a Committee on Internal Improvements; and that the same Committee on Engrossed Bills act as Committee on Enrolled Bills; and that the Committee on the Seat of Government be struck out from the list of Standing Committees.

Respectfully submitted.

B. F. SIMMONS, Chairman.

On motion, the report was adopted.

Mr. Butcher, appointed to inform the Secretary of the passage of the resolution of yesterday in relation to the fitting up of the hall, reported:

That the Committee had waited on his honor, the Secretary of the Territory, and he says that he has used all the exertions he could to obtain the furniture required, and will supply the deficiency as soon as possible.

H. BUTCHER, Ch'n.

Mr. Simmons offered the following resolution:

Resolved, That the Secretary of the Territory be required to furnish stamped envelops for the use of the members of this House, and that he be and is hereby authorized and required to pay to the post-master at Lecompton all the pamphlet and paper postage that may accrue to said post-master by the sending away of papers and pamphlets through the post-office at Lecompton by the members of this House.

On motion of Mr. Anderson, the words "First and Assistant Clerks" were added after the word "members," wherever occurring.

Mr. Waterson moved that the word "requested" be substituted for "required."

Mr Waterson called for the ayes and nays on his amendment, and it was lost by

Ayes—Messrs. S. G. Brown, Brantly, Davis, Fox, Garvin, Kuykendall, Laws, Reese, Stout, Spratt, Waterson and Randall—13.

Nays—Messrs. Speaker, Anderson, Butcher, Bernard, Carr, Dolman, Jenkins, Kirk, Martin, McKinney, O'Driscoll, Simmons, Thompson, Vaughan, Walker and Young—16.

Absent—Messrs. O. H. Browne, Fain, Johnson and White.

On motion, the rules were suspended, and resolution, as amended, read a second time.

On motion, the rules were further suspended, and resolution read a third time, and passed.

On motion of Mr. Waterson, it was

Ordered, That the Clerk inform the Secretary of the passage of the resolution.

Mr. Anderson moved that the rules be suspended for the purpose of allowing him to introduce a bill entitled "A bill to change the Judicial Districts of the Territory of Kansas, and for other purposes therein mentioned." Permission granted.

Mr. Anderson moved that the rules be suspended, and the bill read a second time. Withdrawn.

On motion of Mr. Jenkins, the bill was laid on the table.

The business of the House being resolutions, bills, &c.,

The resolution declaring Thomas M. Crowder second Assistant Clerk, was taken up.

Mr. Kirk moved that the resolution be laid on the table. Carried.

Mr. Thompson moved that ——— be declared second Assistant Clerk.

On motion of Mr. Kirk, it was laid on the table.

Mr. Anderson offered the following resolution:

Resolved, That the principal Clerk of this House be authorized to employ an Assistant as long as it may be necessary, in order to keep up with the business of the House; his recompense to be the same per diem as that of the Assistant Clerk.

Mr. Waterson moved to amend by inserting "for ten days," in place of "as long as it may be necessary."

On the question being taken, the resolution, as amended, was lost by the following vote:

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, S. G. Brown, Davis, Dolman, Garvin, Martin, Stout, Tebbs, Vaughan, Waterson and Walker—14.

Nays—Messrs. Brantly, Bernard, Carr, Fox, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, McKinney, O'Driscoll, Reese, Spratt, Thompson and Randall—17.

A message was here announced from the Council that the Council had elected Rev. J. G. Rice, Chaplain of the Council.

Mr. Jenkins moved that the rules be suspended, and the House go into an election for Chaplain. Carried.

And, on motion, the Rev. J. G. Rice was declared unanimously elected Chaplain of the House.

Mr. Anderson offered the following resolution:

Resolved, That the Speaker of the House be authorized to employ an Assistant Clerk for the first Clerk, if necessary, to be paid the same per diem as first Assistant Clerk. Carried.

On motion of Mr. Anderson, ex-Governor Ransom, of Michigan, ex-Governor Shannon, and Gen. Calhoun, be invited to take seats within the bar of the House. Carried.

Committee to inform these gentlemen—Messrs. Anderson, O'Driscoll and Tebbs.

On motion of Mr. Tebbs, the House adjourned till to-morrow at 10 o'clock.

◆

FRIDAY, JANUARY 16, 1857.

The House met pursuant to adjournment.

The roll being called, the following members were absent, viz: Messrs. Anderson, O. H. Browne, Carr, Fain, Garvin, Garrett, Jenkins, Kirk, Thompson, White and Young.

On motion, the reading of yesterday's proceedings was deferred till to-morrow.

The Speaker announced the Standing Committees:

On Federal Relations—Messrs. Anderson, Tebbs, Jenkins, O'Driscoll, Johnson.

On Judiciary and Criminal Jurisprudence—Messrs. Johnson, Carr, O. H. Browne, Jenkins, Anderson.

On Internal Improvements—Messrs. Jenkins, Johnson, O'Driscoll, Randall, Walker.

On Finance—Messrs. O. H. Browne, Waterson, Kuykendall, Young, Reese.

On Corporations—Messrs. Simmons, Butcher, Kirk, Thompson, Tebbs.

On Education—Messrs. Carr, Martin, Bernard, McKinney, Dolman.

On Bounds of Counties and Districts—Messrs. Kirk, Tebbs, Jenkins, Brantly, Davis.

On Elections—Messrs. Tebbs, Anderson, Kuykendall, Waterson, Simmons.

On Roads and Highways—Messrs. Kuykendall, Fain, Stout, Fox, Young.

On Public Buildings—Messrs. O'Driscoll, Garvin, Vaughan, Spratt, Garrett.

On Agriculture—Waterson, White, Laws, Reese, Butcher.

On Militia—Messrs. Martin, Jenkins, Thompson, Tebbs, Fox.

On Engrossed and Enrolled Bills—Messrs. Thompson, Waterson, Anderson, Brantly, Vaughan.

On Accounts—Messrs. Brantly, Walker, McKinney, Barnard, S. G. Brown.

Petitions, &c., being in order,

Mr. Fox presented a petition from sundry citizens of Linn county, and asked its reference to the Committee on Roads and Highways. Referred.

On motion, the rules were suspended, and Mr. Walker introduced a bill to establish a Territorial road from Wyandott via Secondine to Lecompton, which was read a first, and on suspension of rules a second time, and referred to Committee on Roads and Highways.

On motion, the rules were suspended, and Mr. Brantly introduced a bill for the relief of the collectors of the Public Revenue, which was read a first, and on suspension of rules a second time, and referred to Committee on Finance.

On motion, the rules were suspended to allow Mr. Walker to introduce a bill to incorporate the National Hotel Company, which was read a first time, and referred to Committee on Corporations.

Mr. Jenkins gave notice, that at some future day he would introduce

A Bill to provide for a Digest of the Civil and Criminal Code of the Jurisprudence of the Territory.

Also, a bill to construct a road and highway along the Big Blue river, from Manhattan to the Nebraska line.

Also, a bill to incorporate the town of Palmetto.

On motion, of Mr. Anderson, the Governor's Message was taken up, and referred to a Special Committee of five.

On motion, the rules were suspended, and Mr. Simmons offered the following resolution, which was adopted:

Resolved, That each member of this House be furnished by the Secretary of the Territory with newspapers to the amount of five dollars, during the present session.

The Speaker announced the Committee on the Governor's Message, as follows:

Messrs. Anderson, Tebbs, Kuykendall, Johnson and Thompson.

Mr. Johnson asked to be excused, and Mr. Carr's name was substituted for his.

Mr. Browne, of Douglas, offered the following resolution, and the rules being suspended, it was adopted:

Resolved, That the Secretary of the Territory be requested to furnish each member of this House with a copy of the Statutes of Kansas, a copy of the Journal of the late House of Representatives, and a copy of the Journal of the Council.

On motion, the rules were suspended, and Mr. Walker was allowed to introduce a bill to establish a road from Wyandott to Parkville, Mo. Read a first time, and withdrawn by leave of House.

On motion of Mr. Walker, the rules were suspended, and he was allowed to introduce a bill to incorporate the Kansas Land Agency Company. Read a first time and laid over.

A message was here announced from the Council by its Clerk, Mr. Grover,

That the Council had passed the following joint resolution, in which they asked the concurrence of the House:

Resolved, by the Council, the House concurring therein, that a committee of three be appointed on the part of the Council to confer with such committee as the House may appoint, to examine and report upon "the Book of Forms," submitted by the Hon. R. R. Reese, in pursuance of a resolution passed at the first session of the Legislative Assembly; and that Messrs. Coffey, Easton and Grover have been appointed as such committee.

On motion of Mr. Thompson, the rules were suspended, the resolution concurred in, and a committee of five ordered to confer with committee of Council.

Committee—Messrs. Thompson, Jenkins, Anderson, Carr and Waterson.

Messrs. Anderson and Waterson asked to be excused, and Messrs. O. H. Browne and Johnson were substituted for them. Mr. Browne asked to be excused, and Mr. Simmons was appointed instead thereof.

Mr. Thompson moved that the House now adjourn to 7 o'clock this evening. Lost.

Mr. Stout moved that House adjourn to 2 o'clock this afternoon. Carried.

The House adjourned.

AFTERNOON SESSION.

House met pursuant to adjournment.

The roll being called, the following members were absent: Messrs. Anderson, Carr, Garrett, Johnson, Jenkins, Kirk, O'Driscoll, Stout, Thompson, Tebbs and Waterson.

On motion of Mr. Dolman, it was ordered that the Journals of this House be printed, and laid on members' desks every morning.

On motion, the rules were suspended, and Mr. Kuykendall allowed to introduce a bill to regulate marks and brands. Read a first time.

A message was here announced from the Council, that it had passed "An act to authorize Courts and Judges to admit to bail in certain cases."

Mr. Simmons offered the following resolution:

Resolved, That when the House adjourns, it adjourn to meet to-morrow morning at 10 o'clock, and that the regular hour for adjournment shall be 3 o'clock, P. M.; and the regular hour for meeting, 10 o'clock, A. M.

Mr. Jenkins moved to amend by inserting after "3 o'clock, P. M.," to meet again at 7 o'clock, P. M.

Mr. Thompson moved as a substitute, that the regular hour of meeting of this House be 10 o'clock, A. M.

Mr. Jenkins moved to amend by adding, "and that the Secretary of the Territory be requested to prepare the hall for night sessions." The substitute as amended prevailed.

Mr. Waterson moved that each member furnish the Clerk with a list of his newspapers, not exceeding in amount five dollars, to be furnished by the Secretary of the Terrritory.

On motion of Mr. Tebbs, the House then adjourned.

SATURDAY, JANUARY 17, 1857.

House met pursuant to adjournment.

Prayer by the Rev. Mr. Callaway.

The roll being called, the following members were absent: Messrs. Garrett, O'Driscoll, Thompson, Waterson and White.

Proceedings of yesterday were read and approved.

Reports of standing committees being in order, Mr. Simmons, of the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred House bill No. 4, entitled "A bill to incorporate the National Hotel Company," have had the same under consideration, and beg leave to report in favor of said bill, with the following amendment. After section 4, insert

Sec. 5. *Provided*, That nothing in this charter shall conflict with the provisions of the general law of corporations as passed by the last Legislative Assembly.

And, as amended, recomend its passage.

B. F. SIMMONS, Ch'n.

On motion of Mr. Anderson, the rules were suspended, the bill, as amended, read a second time by its title, and ordered to be engrossed.

Mr. Anderson, from the Special Committee on the Governor's message, made the following report:

The Special Committee, to whom was referred the Governor's message, have had the same under consideration, and beg leave to report as follows:

That so much of the message as refers to the repeal of laws in which penalties are provided—

Test oaths other than election test oaths, be referred to Committee on Judiciary and Criminal Jurisprudence;

So much as refers to repeal of election laws, and enactments upon that subject, to Committee on Elections;

So much as refers to militia laws, to the Committee on Militia;

So much as refers to education, to the Committee on Education;

So much as refers to internal improvements, to the Committee on Internal Improvements;

So much as refers to banks, to the Committee on Corporations;

So much as refers to Auditor, as ex-officio Librarian, to Committee on Education;

And the remainder of message to Committee on Federal Relations.

J. C. ANDERSON, Ch'n.

Mr. Anderson offered the following joint resolution, which was laid over under the rules:

Resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, that a committee of three on the part of the House, and two from the Council, be appointed for the purpose of apportioning representation for the Legislature of Kansas; and more especially for the purpose and with instructions to report a bill to prepare for the calling of of a Convention to frame a State Government as soon as it may be deemed expedient.

Mr. Anderson moved to suspend the rules and take up Council bill No. 5, entitled "A bill to authorize Courts and Judges to admit to bail in certain cases." Carried. And the bill was read a first time.

On motion of Mr. Anderson, the rules were suspended, the bill read a second time, and referred to Committee on Judiciary, &c.

Mr. Young offered the following resolution:

Resolved, That the Secretary of the Territory be, and he is hereby required to furnish a carpet for the floor and Speaker's stand of this House, spit boxes for the use of the members, and also another stove.

Adopted.

On motion, the rules were suspended, and Mr. Fox introduced a bill to locate the county seat of Linn county permanently. Read a first time.

On motion, the rules were suspended, and the bill read a second time by its title, and, on motion, referred to a Special Committee—Messrs. Fox, Brantly and S. G. Brown.

On motion, the rules were suspended, and permission granted Mr. Young to introduce a bill entitled "A bill to establish a Territorial road from Atchison, via Mount Pleasant, to some point on Kansas river opposite Lecompton.

On motion, the rules were suspended, the bill read a second time by its title, and referred to Committee on Roads and Highways.

Message from the Council, by Mr. Grover, Clerk:

I am instructed to inform the House, that bills have been introduced into the Council of the following titles:

1. An act to authorize Courts and Judges to admit to bail in certain cases.
2. An act declaring certain banking associations unlawful.
3. An act to establish a Territorial road from the city of Kickapoo, by way of Newell's mill, to Topeka.
4. An act regulating marks and brands.
5. An act regulating actions.

6. An act to incorporate the town of Bloomington.

7. An act amendatory of an act entitled an act to provide for the pay of officers and others.

8. An act for the relief of the Clerk of the Second Judicial District.

9. An act to amend an act to provide for the recovery of debts by attachment.

10. An act to provide for the taking of the census of the several counties of the Territory of Kansas.

11. An act to define the Judicial Districts of the Territory of Kansas.

12. An act to incorporate the Iowa Point Town Company.

13. An act to amend an act entitled an act to establish a Probate Court with the powers and duties of a Board of Commissioners, and to define its jurisdiction.

14. An act to amend an act entitled an act concerning forcible entry and detainer.

15. An act entitled an act establishing the office of Superintendent of Public Printing.

And that the Council have passed the following Council bills:

An act to incorporate the Iowa Point Town Company.

An act establishing the office of Superintendent of Public Printing.

An act regulating marks and brands.

An act to incorporate the Town of Bloomington.

Mr. O'Driscoll gave notice, that on Monday, or some future day, he would introduce the following bills:

An act to incorporate the Roseport Town Company.

An act to incorporate the city of Roseport.

An act to incorporate a Bank at Roseport, Doniphan county, to be called the Bank of Kansas, with branches at the principal towns in the Territory.

An act to incorporate the Newcastle Town Company.

An act to incorporate the Newcastle Coal and General Mining Company.

An act to incorporate Roseport Insurance Company.

An act to incorporate Claytonville Town Company.

Also, a petition to establish a Territorial road from Marysville, in Marshall county, via Richmond, in Nemaha county, Claytonville, in Brown county, Troy, in Wathena county, thence to Roseport, in Doniphan county.

A petition to open a road from Lecompton to the line of Kansas Territory, by way of Claytonville, to ferry on the Nemaha.

An act to declare a certain road a public highway.

Mr. Kirk gave notice of the introduction of the following bill:

An act to establish a ferry at the town of Atchison.

Mr. Carr gave notice of the introduction of the following bills:

A bill to establish a Territorial road from the town of Atchison to the city of Lecompton, via Wigglesworth's ford, on Stranger's creek.

A bill to incorporate the city of Atchison.

Mr. Brantly offered the following resolution:

Resolved, That the rule requiring notice to be given of the introduction of bills at a future day, be stricken from the rules of the House.

Mr. Anderson moved to reject the resolution. Withdrawn.

Mr. Anderson moved that the resolution be postponed indefinitely, and called for the yeas and nays. The motion to postpone was carried by

Ayes—Messrs. Anderson, S. G. Brown, Carr, Dolman, Garvin, Jenkins, Kuykendall, Kirk, Martin, McKinney, O'Driscoll, Randall, Stout, Simmons, Thompson, Vaughan, Waterson and Young—18.

Nays—Messrs. Speaker, O. H. Browne, Butcher, Bernard, Brantly, Davis, Fox, Fain, Garrett, Johnson, Laws, Reese, Spratt, Tebbs and Walker —15.

Absent—Mr. White.

Mr. Hueston, Engrossing Clerk, was sworn in.

Mr. Browne (of Douglas,) gave notice of the introduction of a bill repealing the 12th section of "An act to punish offences against slave property."

Mr. Brantly gave notice of the introduction of "A bill to increase constables' fees.

Mr. Brantly, Enrolling Clerk, was sworn in.

Bills on their second reading being in order,

A bill to incorporate the Kansas Land Agency Company was read a second time, and referred to the Committee on Corporations.

A bill to regulate marks and brands. Read a second time, and referred to the Committee on Agriculture.

Mr. Anderson moved that the rule for printing bills of more than one page be not applied to bills just read.

The following Council bills were read a first time:

An act to incorporate the Iowa Point Town Company.

An act establishing the office of Superintendent of Public Printing.

An act regulating marks and brands.

An act incorporating the town of Bloomington.

A message from the Council, through Mr. Reese, a member, that the Council had passed "An act for the speedy taking of the census of the several counties of the Territory."

On motion of Mr. Fain, the rules were suspended, and he introduced "A bill to legalize the acts of the county commissioners of Anderson county." Read a first time.

On motion of Mr. Fain, the rules were suspended, and he introduced "A bill to incorporate the Pierce Town Company." Read a first time.

On motion of Mr. Fain, the rules were suspended, and he introduced "A bill to incorporate the town of Shannon." Read a first time.

On motion of Mr. O'Driscoll, the rules were suspended, and Council bill "to provide for the speedy taking of the census of the several counties of the Territory," was taken up and read a first time.

On motion of Mr. O'Driscoll, the rules were suspended, the bill read a second time, and referred to the Committee on Elections.

Mr. Waterson gave notice of the introduction of the following bill:

A bill to repeal so much of an act defining the boundaries of the several counties of the Territory of Kansas as relates to the county of Brown being attached to the county of Doniphan, and for the immediate organization of Brown county.

Mr. Anderson moved to take up the joint resolution he introduced this morning, by a suspension of the rules. The ayes and nays being called for, the rules were suspended by

AYES—Messrs. Speaker, Anderson, O. H. Browne, Butcher, S. G. Brown, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Tebbs, Vaughan, Waterson, Walker and Young—31.

NAYS—None.

ABSENT—Messrs. Garvin, Thompson and White.

Mr. Jenkins moved that the resolution be adopted.

The ayes and nays being demanded, it was carried by the following vote:

AYES—Messrs. Speaker, Anderson, O. H. Browne, Butcher, S. G. Brown, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Tebbs, Vaughan, Waterson, Walker and Young—31.

NAYS—None.

ABSENT—Messrs. Garvin, Thompson and White.

Mr. Carr moved that the rules be suspended, and Council bill "to establish the office of Superintendent of Public Printing" be taken up and read a second time. Carried.

On motion, it was referred to the Committee on Finance.

On motion, the rules were suspended, and Council bill regulating marks and brands was taken up and read a second time, and referred to the Committee on Agriculture.

On motion, the rules were suspended, and Council bill to incorporate the town of Bloomington was taken up, read a second time, and referred to the Committee on Corporations.

On motion, the rules were suspended, and Council bill to incorporate the Iowa Point Town Company was taken up, read a second time, and referred to the Committee on Corporations.

On motion of Mr. Anderson, the hall was tendered to the Rev. Mr. Callaway on to-morrow morning, to deliver a sermon.

On motion, the House then adjourned to 3 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Reports from Standing Committees being in order,

Mr. O. H. Browne made the following report:

The Committee on Finance have had under consideration Council bill to establish the office of Superintendent of Public Printing, and beg leave to report the same with the following amendments, and, as amended, recommend its passage:

Strike out from second section the following words: "but in no case shall the duties of Superintendent of Public Printing apply to any printing except that of the laws and journals."

And fill the blank with the word "four."

On motion of Mr. Waterson, the rules were suspended, and the amendments read a second time.

A message was here announced from the Council by Mr. Grover, a member, that the Council had concurred in the concurrent resolution of this morning, and that the Council had appointed Messrs. Coffey and Grover as committee on part of Council; and that the Council had passed bills "declaring certain banking associations unlawful," and "A bill regulating actions."

Mr. Waterson moved that the rules be suspended, and bill establishing the office of Superintendent of Public Printing be taken up, read a third time, and put upon its passage.

Mr. Brantly moved as a substitute that the bill be recommitted. The ayes and nays being demanded, the bill was recommitted by

AYES—Messrs. Anderson, Butcher, S. G. Brown, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Jenkins, Kirk, Laws, O'Driscoll, Reese, Stout, Spratt, Simmons, Vaughan and Walker—21.

NAYS—Messrs. Speaker, O. H. Browne, Bernard, Kuykendall, Martin, Randall, Tebbs, Thompson, Waterson and Young—10.

ABSENT—Messrs. Johnson, McKinney, and White—3.

The Committee on Elections, through its chairman, Mr. Tebbs, made the following report:

The Committee on Elections, to whom was referred Council bill entitled "An act for the speedy taking of the census of the several counties of Kansas Territory," report it back to the House, and recommend its reference to the Joint Committee of the two Houses for the purpose of taking into consideration the propriety and of providing for the holding of a Convention to form a State constitution. Adopted.

The Speaker announced Joint Committee on part of House—Messrs. Anderson, Tebbs and Carr.

Mr. Fox, from the Special Committee, made the following report:

That they reported back House bill No. 7, "to permanently locate the county seat of Linn county," without amendment, and recommend its passage.

Mr. Anderson moved that the rules be suspended, the bill read a third time by its title, and put upon its passage. Carried.

The bill was read a third time, and passed.

Mr. Simmons gave notice of the introduction of the following bills:

A bill to declare the military road from Fort Riley to Bent's Fort a Territorial road.

A bill to declare the military road laid off by Lieut. Bryan in the year 1856, from Fort Riley north-west to the Nebraska line, a Territorial road.

On motion of Mr. Randall, the rules were suspended, and he introduced a bill "to incorporate the Kansas Locating Association," which was read a first time.

On motion of Mr. Randall, the rules were suspended, the bill read a second time by its title, and referred to the Committee on Corporations.

Mr. O. H. Browne asked leave to make a report from the Committee on Finance.

On motion of Mr. Anderson, the rules were suspended, and Mr. Browne reported "That the Committee on Finance, to whom was referred Council bill 'to establish the office of Superintendent of Public Printing,' report the same back as it came to them, and adhere to their original report."

Mr. Anderson moved that the report be agreed to.

Mr. Brantly moved that the House adjourn to Monday, at 10 o'clock, A. M.

The ayes and nays being demanded, the House adjourned by

Ayes—Messrs. Butcher, S. G. Browne, Brantly, Davis, Garvin, Garrett, Jenkins, Laws, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson and Walker—16.

Nays—Messrs. Speaker, Anderson, O. H. Browne, Bernard, Carr, Dolman, Kuykendall, Kirk, Martin, Tebbs, Waterson and Young—12.

Absent—Messrs. Fain, Johnson, McKinney, Vaughan and White—5.

MONDAY, January 19, 1857.

The House met pursuant to adjournment.

The roll was called, and the following members were absent, viz: Messrs. Anderson, O. H. Browne, Garvin, Garrett, Johnson, Martin, Thompson, Tebbs, Walker and White.

The proceedings of Saturday were read and approved.

A Message from the Council, through Mr. Grover, Clerk, that the Council had filled the blank in the bill establishing the office of Superintendent of Public Printing, with the word "four."

Mr. O'Driscoll offered the following petitions:

Petition from sundry citizens to locate a Territorial road from Lecompton to the line of Kansas and Nebraska Territories.

Also, a petition from sundry citizens to locate a Territorial road from Marysville to Roseport, opposite to St. Joseph, Mo.; which were read, and referred to Committee on Roads and Highways.

Mr. Waterson, as Chairman of the Committee on Agriculture, made the following report:

That they have had under consideration Council bill No. 2, "A bill regulating marks and brands," and beg leave to report the same back without amendment, and recommend its passage.

On motion of Mr. Waterson, the rules were suspended, bill read a third time and passed.

Mr. Johnson, from the Committee on Judiciary, made the following report:

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 1, entitled "An act to authorize Courts and Judges to admit to bail in certain cases," have had the same under consideration and beg leave to report the same, and recommend its passage.

D. J. JOHNSON, Ch'n.

On motion, the rules were suspended, bill read a third time and passed.

Mr. Waterson, from Committee on Agriculture, made the following report:

The committee to whom was referred House bill No. 6, entitled "A bill to regulate marks and brands," report same back and recommend its rejection.

T. W. WATERSON, Ch'n.

Agreed to.

Mr. Kuykendall from Committee on Roads, &c., made the following report:

The Committee on Roads and Highways, to whom was referred House bill, to establish a Territorial road from Wyandott via Secondine to Lecompton, have examined the same and beg leave to report it back to the House with the following amendments:

In 3d section, instead of "Court House" insert "Council House," and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

On motion, the rules were suspended, and bill as amended read a second time.

The same committee made the following report:

The Committee on Roads and Highways, to whom was referred House bill No. 8, to establish a Territorial road from Atchison, via Mt. Pleasant, to some point on the Kansas river, opposite Lecompton, report it back without amendment and recommend its passage.

J. KUYKENDALL, Ch'n.

Agreed to.

The same committee made the following report:

The Committee on Roads and Highways, to whom was referred House petition No. 1, asking a charter for a ferry across the Marais des Cygnes at mouth of Big Sugar creek, have examined said petition and report a bill in accordance with prayer of petitioners, and recommend its passage.

J. KUYKENDALL, Ch'n.

Agreed to.

On motion, the rules were suspended, and bill to establish a ferry at mouth of Big Sugar creek, on the Marais des Cygnes, in this Territory, was read a first time.

On motion of Mr. Fox, the rules were suspended, bill read a second time, ordered to be engrossed and made the order of day for Tuesday, Jan. 20th.

Mr. Simmons, from the Committee on Corporations, made the following report:

"That said committee beg leave to report the following bill: 'A bill to incorporate the Kansas River Steamboat Company.'"

Agreed to. Bill read a first time.

On motion, the rules were suspended, and bill read a second time and referred to Committee on the Judiciary.

The unfinished business of Saturday, being the motion of Mr. Anderson for the adoption of the report of the Committee on Finance, on Council bill "establishing the office of Superintendent of Public Printing," was taken up.

Mr. Brantly moved as a substitute, that bill be recommitted. Withdrawn.

The question being taken, the report was agreed to; and on motion of Mr. O. H. Browne, the bill was referred to Committee on Accounts, by

Ayes—Messrs. O. H. Browne, S. G. Brown, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Johnson, Kuykendall, Kirk, Laws, O'Driscoll, Reese, Randall, Spratt, Simmons, Waterson, Walker and Young—21.

NAYS—Messrs. Speaker, Anderson, Butcher, Bernard, Brantly, Jenkins, Martin, McKinney, Stout, Thompson, Tebbs and Vaughan—12.

ABSENT—Mr. White.

Mr. Simmons, from Committee on Corporations, made the following report:

"The Committee on Corporations, to whom was referred House bill No. 5, entitled a bill to incorporate the Kansas Land Agency Company, beg leave to recommend its rejection."

Mr. Thompson moved that bill be recommitted to Committee on Corporations. Carried.

Mr. Stout gave notice of the introduction of the following bills:

A bill to incorporate the city of Iowa Point.

A bill to locate a Territorial road from Doniphan, Kansas Territory, to Kansas and Nebraska line, opposite Ray's Ferry, via Iowa Point.

Also to establish a Territorial road from Iowa Point to Marysville via Richmond.

Mr. Kirk gave notice of the introduction of the following bills:

An act to locate a Territorial road from Atchison to Vermillion City, in Kansas Territory.

Also, an act to locate a Territorial road from the town of Atchison to the town of Doniphan, in Kansas Territory.

On motion, the rules were suspended, and Mr. Johnson introduced "a bill to declare valid the official acts of W. T. Sherrard, and to make valid his appointment to the office of Sheriff of Douglas county, which was read a first, and on suspension of rules a second time, and referred to Committee on Judiciary, &c., with instructions for that committee to wait upon his Excellency, and request his reasons for not commissioning W. T. Sherrard, Sheriff of Douglas county.

Mr. Waterson gave notice of the introduction of the following bills:

A bill to extend the time of the commissioners appointed to locate a Territorial road from a point opposite St. Joseph, Mo., via Whitehead, Great Nemaha Agency, to Cramer's crossing of the Great Nemaha river.

Also, a bill to locate a Territorial road from the city of Lecompton to the town of Roseport, in Doniphan county, Kansas Territory.

Mr. Walker moved that House adjourn to 3 o'clock, P. M. Carried by

AYES—Messrs. Speaker, Anderson, S. G. Brown, Carr, Garvin, Garrett, Johnson, Kuykendall, Laws, Martin, Reese, Randall, Spratt, Thompson, Tebbs, Waterson, Walker and Young—18.

NAYS—Messrs. O. H. Browne, Butcher, Bernard, Brantly, Davis, Dolman, Fox, Fain, Jenkins, Kirk, McKinney, O'Driscoll, Stout, Simmons and Vaughan—15.

ABSENT—Mr. White.

EVENING SESSION.

House met pursuant to adjournment.

Mr. O. H. Browne, in pursuance of notice, introduced "A bill repealing the 12th section of an act to punish offences against slave property." Read a first time.

Mr. Young gave notice of the introduction of a bill "to incorporate the Mt. Pleasant Town Company."

Mr. Kuykendall gave notice of the introduction of the following bills:

A bill to define the duties of Commissioners' Courts, Clerks of said Courts, and County Treasurers in relation to county warrants.

A bill appointing commissioners to locate the county seat of Johnson county permanently.

A bill chartering a ferry across the Kansas river, at Calhoun.

On motion, the rules were suspended, and Mr. Anderson introduced a bill to provide for the removal of county seats, which was read a first time.

Message from the Council, by Mr. Grover, Clerk, that the Council had passed the following bills:

An act to amend an act to provide for the recovery of debts by attachment.

An act to incorporate the Leavenworth Lyceum.

Also, House bill, "An act to locate the county seat of Linn county, permanently."

And that the following bills have been introduced into the Council:

An act to prescribe the duties of Judges and Justices in criminal cases.

An act supplemental to an act entitled "An act to incorporate the Leavenworth, Pawnee, and Western Railroad Company."

And, also, have passed the following joint resolution:

Resolved, by the Council, the House of Representatives concurring therein, that all bills which shall have passed both Houses shall be first signed by the presiding officer of the House in which the bill originated, and endorsed by the Clerk, and then be sent back to the other House for the signature of the presiding officer, and be then reported to the House in which it originated for transmission to the Governor for his approval.

And that they had transmitted to the House for signature, Council bill, "An act to authorize Courts and Judges to admit to bail in certain cases."

Mr. O'Driscoll gave notice of the introduction of a bill to establish the Kansas Land Agency Company.

Mr. O'Driscoll, in pursuance of notice, introduced "a bill to incorporate the Roseport Town Company," which was read a first time.

Mr. Johnson gave notice of the introduction of a bill to establish a ferry on the Kansas river, at the crossing of the Territorial road running from Bernard's store to Leavenworth City.

Mr. Jenkins introduced a bill to incorporate the town of Palmetto. Read a first time.

Mr. O'Driscoll introduced a bill to incorporate the City of Roseport. Read a first time.

Mr. Jenkins introduced a bill to establish a Territorial road and highway along the Big Blue river. Read a first time.

Mr. Dolman introduced a bill, by suspension of rules, repealing "An act supplemental to an act to provide for the collection of the revenue." Read a first time.

On motion, the rules were suspended, and Mr. Walker introduced a bill to incorporate the Wyandott City Company. Read a first time.

Mr. O'Driscoll, in accordance with previous notice, introduced a bill to charter a bank to be located at Roseport, Doniphan county, Kansas Territory, to be styled the Bank of Kansas. Read a first time.

Mr. Kirk gave notice of the introduction of the following bills:

An act to incorporate the America Town Company.

A bill to incorporate the Vermillion City Town Company.

In pursuance of notice, Mr. Brantly introduced a bill to amend an act entitled "An act to provide for the pay of officers and others." Read a first time.

Mr. Anderson moved to suspend the rules, and take up the instructions of the House to Committee on the Judiciary, &c., ordering said committee to ask of the Governor his reasons in not commissioning Wm. T. Sherrard as Sheriff of Douglas county. Carried.

Mr. Anderson moved that instructions be reconsidered. Carried.

And then he, by permission of the House, withdrew the instructions to the Committee on Judiciary, &c.

Mr. Anderson offered the following resolution, which was adopted:

Resolved, That his Excellency, the Governor of the Territory of Kansas, be respectfully requested to furnish this House with a statement of his reasons for not having commissioned W. T. Sherrard as Sheriff of Douglas county.

On motion, the rules were suspended, and Mr. Brantly, from the Committee on Accounts, made the following report:

The Committee on Accounts, to whom was referred Council bill establishing the office of Superintendent of Public Printing, beg leave to report the same back without amendment, and ask to be discharged from further consideration of same.

B. F. BRANTLY, Ch'n.

Agreed to.

On motion of Mr. Anderson, a Special Committee of five was appointed on Public Printing; viz: Messrs. Brantly, Waterson, Kuykendall, Fox and Bernard.

Mr. O'Driscoll, in pursuance of notice, introduced a bill to incorporate the Newcastle Coal and General Mining Company. Read a first time.

On motion, the House then adjourned.

TUESDAY, JANUARY 20, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

The roll being called, the following members were absent: Messrs. Thompson, Walker and White.

Sick—Mr. Davis.

Proceedings of yesterday were read and approved.

Petition of sundry citizens of Atchison, protesting against ferry at Atchison, was offered by Mr. Speaker, read, and referred to Committee on Roads and Highways.

Petition of sundry citizens of Atchison, for a road from Atchison to Lecompton. Read and referred to Committee on Roads and Highways.

Reports from Standing Committees being in order,

Mr. Johnson, from Committee on Judiciary and Criminal Jurisprudence, made the following report:

The Committee on Judiciary, &c., to whom was referred House bill No. 13, entitled, "An act to incorporate the Kansas River Steamboat Company," have had the same under consideration, and beg leave to make the following report:

Your committee feel it their imperative duty to regard this bill, and all of a like character that may come under their consideration, with a jealous eye; and thereby, if possible, to protect the innocent and unsuspecting citizens against the designs of those who would fatten upon their simplicity. Your committee, then, with this rule before them, are compelled to report this bill back to the House, and recommend its rejection, on the ground, mainly, that the privileges asked for are unbounded or too general, as there might under this bill spring up a monopoly in almost every branch of business.

D. J. JOHNSON, Chairman.

Agreed to.

Mr. Simmons moved to reconsider the vote of agreement, which was lost by

Ayes—Messrs. Anderson, S. G. Brown, Brantly, McKinney, O'Driscoll, Reese, Simmons, Thompson, Tebbs, Vaughan, Waterson and Walker—12.

Nays—Messrs. Speaker, O. H. Browne, Butcher, Bernard, Carr, Fox, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, Randall, Stout, Spratt and Young—18.

Absent—Messrs. Davis, Fain, Garrett and White.

Mr. Waterson, in pursuance of notice, introduced a bill to detach the county of Browne from Doniphan county, and to organize Browne county. Read a first time.

Mr. O'Driscoll, in pursuance of notice, introduced a bill to incorporate the Newcastle Town Company. Read a first time.

Mr. Young, in pursuance of notice, introduced a bill to incorporate the town of Mount Pleasant. Read a first time.

Mr. Dolman gave notice of introduction of a bill for a charter for the Missouri River and Nemaha Valley Railroad Company. Also,

A bill for a Territorial road from the town of Richmond, in Nemaha county, to Lecompton city, in Douglas county.

In pursuance of notice, Mr. Carr introduced a bill to establish a Territorial road from the town of Atchison to the city of Lecompton, via Wigglesworth's ford, on Stranger's creek. Read a first time, and, on suspension of rules, read a second time, and referred to Committee on Roads and Highways.

In pursuance of previous notice, Mr. Kuykendall introduced a bill to charter a ferry at Calhoun, Kansas Territory; which was read a first time, and, on motion, rules were suspended, bill read a second time, and referred to Committee on Roads and Highways.

Mr. Kirk, in pursuance of notice, introduced a bill to incorporate the Town Company of America, which was read a first time.

In pursuance of notice, Mr. Kuykendall introduced a bill to locate the county seat of Johnson county permanently. Read a first time. Also,

A bill to amend the laws of the Territory of Kansas in relation to the duties of Commissioners' Courts, County Clerks, and County Treasurers in regard to county warrants, &c. Read a first time.

The following gentlemen gave notice of introduction of bills:

Mr. Kuykendall, a bill to incorporate the Kansas River Steamboat Company. Also,

A bill to incorporate the Bank of Lecompton.

Mr. Jenkins, for the building of a county court-house and jail for Marshall county, and for other purposes.

Mr. Fox, to locate a Territorial road from Lecompton, in Douglas county, to Barnesville, near Fort Scott, in Bourbon county, via Paola and Paris. Also,

To locate a Territorial road from Council City to the town of Columbus, in Kansas Territory.

Mr. Kirk, to incorporate the Town Company of the town of Eureka.

Mr. Butcher, to locate a Territorial road commencing at Willow Springs, on Santa Fe road, Douglas county, via Bloomington, to Lecompton.

Mr. Bernard, on suspension of rules, introduced a bill to establish a Territorial road from Lecompton via St. Bernard to Shannon, county seat of Anderson county, and thence to Cofachique. Which was read a first time.

Mr. Walker, on suspension of rules, introduced a bill to incorporate the Kansas Stock Company. Read a first time.

On motion of Mr. Brantly, the Sergeant-at-Arms was ordered to furnish the Governor with 200 copies of his message.

Mr. Browne gave notice of introduction of bill authorizing Hugh Cameron to keep a ferry. Also,

A bill supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas.

In pursuance of notice, Mr. Kirk introduced a bill to incorporate the Vermillion City Town Company. Read a first time.

Bills read a Second time.

No. 9. A bill to incorporate the town of Shannon, by suspension of rules, was read by its title, and referred to Committee on Corporations.

No. 10. A bill to legalize the acts of the Board of County Commissioners of Anderson, on suspension of rules, was read by its title, and referred to Committee on Judiciary.

No. 11. A bill to incorporate the Pierce Town Company, by suspension of rules, was read by its title a second time, and referred to Committee on Corporations.

No. 15. An act repealing the twelfth section of an act to punish offences against slave property, was read a second time, and referred to Committee on Judiciary.

No. 16. A bill to provide for the removal of county seats, was read by its title, by suspension of rules, a second time, and referred to Committee on Bounds of Counties, &c.

17. A bill to incorporate the Roseport Town Company, was read by its title, on suspension of rules, a second time, and referred to Committee on Corporations.

18. A bill to incorporate the Town of Palmetto, was read by its title a

second time, by suspension of rules, and referred to Committee on Corporations.

19. A bill to incorporate the city of Roseport, was read by its title, on suspension of rules, a second time, and referred to Committee on Corporations.

Mr. Anderson's motion, that the rules requiring all bills of more than one page of manuscript to be printed as a matter of course, be suspended and abolished by the unanimous consent of the House, as to all bills of incorporation. Withdrawn.

Mr. O'Driscoll moved that the bill incorporating the City of Roseport be not printed. Carried.

On motion of Mr. Anderson, all bills of incorporation hereunto read, be ordered not to be printed.

No. 20. A bill to establish a Territorial road and highway along the valley of Big Blue river, was read a second time, and referred to Committee on Roads, &c.

21. A bill repealing an act supplemental to an act to provide for the collectors of the Revenue, was read a second time, and referred to Committee on Finance.

22. An act to incorporate the Wyandott City Company, was read a second time, and referred to Committee on Corporations. By suspension of rules it was ordered not to be printed.

23. A bill for the charter of a bank, to be located at Roseport, Doniphan county, Kansas Territory, to be called the Bank of Kansas, was read a second time, ordered to be printed, and referred to Committee on Corporations.

24. A bill to amend an act entitled "An act to provide for the pay of officers and others," was read a second time, and referred to Committee on Finance.

25. A bill to incorporate the Newcastle Coal and General Mining Company, was read a second time, on suspension of rules, by its title, ordered not to be printed, and referred to Committee on Corporations.

Mr. Anderson moved to suspend the regular business, and take up the concurrent resolution of Council received yesterday, in regard to the signing of acts. Carried, and the resolution was then read a second time and concurred in.

On motion, the House then adjourned to 2½ o'clock, P. M.

AFTERNOON SESSION.

The House met pursuant to adjournment.

The Council bill, to establish the office of Superintendent of Public Printing, was read a third time. The bill was amended by rider, section 4, the blank in section 3 being filled by inserting the word "four."

The rules were suspended, the amendment read a second and third time, and the bill was then passed.

Council bill, declaring certain banking associations unlawful, was read a first time.

Council bill, regulating actions, was read a first time.

Council bill to amend an act entitled "An act to provide for the recovery of debts by attachment," was read a first time.

By unanimous consent, Mr. Kirk introduced a petition of sundry citizens of Atchison for a ferry; read and referred to the Committee on Roads and Highways.

The rules were suspended, and Dr. Tebbs offered the following resolution:

Resolved, by the House of Representatives, That the Speaker appoint a Special Committee, consisting of three members of the aforesaid body, to whom all matters coming before this House pertaining to banks shall be referred, and whose duty it shall be to report to the House as to the expediency or inexpediency of adopting a system of banking by this Territory; and if expedient, what shall be the nature and kind of that system. Adopted.

Committee—Messrs. Tebbs, Simmons and Thompson.

House bill to establish a Territorial road from Wyandott, via Secondine, to Lecompton, was read a third time by its title and passed.

House to establish a Territorial road from Atchison, via Mount Pleasant, to some point on Kansas river opposite Lecompton, was read a third time and passed.

Mr. Brantly moved to reconsider the vote on its passage. Carried.

Mr. Anderson moved that the bill be laid on the table.

On motion, Mr. Anderson was allowed to withdraw the motion.

Question being on its passage, the bill was passed.

On motion, the rules were suspended, and Mr. Waterson introduced a bill supplemental to an act to establish a Territorial road from a point opposite St. Joseph, Missouri, to the Great Nemaha river; read a first time, and rules being suspended, read a second time, and referred to Committee on Roads, &c.

Mr. Bernard gave notice of the introduction of an act to organize the county of Franklin.

Also, an act to incorporate the St. Bernard Town Company.

The House then adjourned.

WEDNESDAY, JANUARY 21, 1857.

The House met pursuant to adjournment.

The roll was called, and the following members were absent:

Messrs. Brown, of Madison and Breckenridge, (sick,) Garvin, (sick,) Garrett, O'Driscoll, Thompson, Walker and White.

The reading of the Journal was dispensed with.

Mr. Brantly, from the Special Committee on Printing, asked for instructions.

Mr. Anderson moved that the House instruct that Committee to discontinue the printing of the Journal, if not done in time for the morning session, and that it be done correctly. Carried.

Message from the Council by Mr. Grover, Clerk:

I am instructed by the Council to inform the House that the Council have concurred in the House amendment to Council bill entitled "An act establishing the office of Superintendent of Public Printing;" and that they had passed Council bill to amend an act entitled "An act concerning forcible entries and detainers."

Message from the Governor by his Private Secretary, transmitting reports of Adjutant General, Inspector General, and Master of Convicts.

On motion, the communication was read.

On motion of Mr. Fox,

The Special Committee on Banks was increased to five—Messrs. Fox and Randall being added.

Mr. Browne, of Douglas, in pursuance of notice, introduced the following bills:

An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas. Read a first time.

Also, "An act to authorize Hugh Cameron to keep a ferry." Read a first time.

Mr. Kirk, in pursuance of notice, introduced "A bill to incorporate the Town Company of Eureka." Read a first time.

Mr. Johnson, in pursuance of previous notice, introduced "A bill to establish a ferry on the Kansas river, at the crossing of the Territorial road running from Bernard's store to Leavenworth city." Read a first time.

Mr. Walker introduced "A bill to establish a Territorial road from Wyandott city to the Missouri State line." Read a first time.

Mr. Waterson gave notice of the introduction of "An act to amend an act entitled 'An act to regulate executions.'"

Mr. Thompson made the following report from the Committee on Engrossed and Enrolled Bills:

They beg leave to report the following bill as truly engrossed:

A bill to incorporate the National Hotel Company.

Also, "A bill to establish a ferry at the mouth of Big Sugar creek, on Marais des Cygnes, in the Territory of Kansas."

The bill to establish a ferry at the mouth of Big Sugar creek, on the Marais des Cygnes, in the Territory of Kansas, was taken up; on motion, read a third time, and passed.

Mr. Simmons, according to previous notice, introduced "A bill to establish a Territorial road." Read a first time.

Also, "A bill to establish a Territorial road." Read a first time.

On motion, the rules were suspended, the bills read a second time by their title, and referred to the Committee on Roads and Highways.

Mr. Butcher introduced a bill, in pursuance of previous notice, "to establish a Territorial road from Willow Springs to Lecompton." Read a first time.

Mr. Brantly introduced, by previous notice, a bill to be entitled "A bill to locate a Territorial road from Council city to the town of Columbia, in the Territory of Kansas." Read a first time.

Mr. Fox, according to previous notice, introduced "A bill to establish a Territorial road from Lecompton to Barnesville, in Bourbon county, Kansas Territory." Read a first time.

Mr. Waterson, according to previous notice, introduced "A bill to establish a Territorial road from Lecompton to Roseport, Doniphan county." Read a first time.

On suspension of rules, Mr. Johnson introduced "A bill to establish a Territorial road from Delaware city, Leavenworth county, to the city of Lecompton, in the county of Douglas." Read a first time.

On suspension of rules, Mr. Garrett introduced the following bills:

A bill to incorporate the Town Association of Manhattan, which was read a first time.

Also, "A bill to incorporate the city of Manhattan," which was read a first time.

A bill to incorporate the Manhattan Institute.

On motion of Mr. Garrett, the rules were suspended, and the bills read a second time by their titles, and referred to the Committee on Corporations.

Mr. Spratt, in accordance with previous notice, introduced "A bill to locate and establish a Territorial road from Fail's store to Cofachique, in Allen county, K. T." Read a first time.

Mr. Carr, in accordance with previous notice, introduced "A bill to establish a ferry at the town of Atchison." Read a first time.

On motion, the rules were suspended, and the bill read a second time, and referred to the Committee on Roads and Highways.

Mr. Kirk, according to previous notice, introduced "A bill to establish a Territorial road from Atchison to Vermillion city." Read a first time.

Mr. Garrett gave notice of the introduction of "A bill to locate a Territorial road from St. Mary's Mission to Fort Riley, in Kansas Territory."

Second Reading of Bills.

No. 27. A bill for the incorporation of Newcastle Town Company was, on suspension of rules, read by its title a second time, and referred to the Committee on Corporations.

No. 26. A bill to detach the county of Browne from the county of Doniphan, and to organize Brown county, was read a second time, and referred to the Committee on County Bounds, &c.

No. 28. A bill to incorporate the town of Mount Pleasant was read, on suspension of rules, by its title, a second time, and referred to the Committee on Corporations.

No. 31. A bill to incorporate the Town Company of America was read by its title, on suspension of rules, a second time, and referred to the Committee on Corporations.

No. 32. A bill to locate the county seat of Johnson county permanently, was read by its title, on suspension of rules, a second time, and referred to the Commitee on Bounds of Counties, &c.

No. 33. A bill amendatory to the laws of the Territory of Kansas, in relation to the duties of commissioners' courts, county clerks, and county treasurers, in relation to county warrants, &c., was read, by suspension of rules, by its title, a second time, and referred to the Committee on the Judiciary.

No. 35. A bill to incorporate the Kansas Stock Company was read by its title on suspension of rules, a second time, and referred to the Committee on Corporations.

No. 34. A bill establishing a Territorial road from the city of Lecompton, via St. Bernard, to Shannon, the county seat of Anderson county, and thence to Cofachique, was read by its title, on suspension of rules, and referred to the Committee on Roads and Highways.

No. 36. A bill to incorporate the Vermillion City Town Company was read by its title, on suspension of rules, a second time, and referred to the Committee on Corporations.

Engrossed Bills on their Third Reading.

A bill to incorporate the National Hotel Company was read a third time, and passed by

Ayes—Messrs. Speaker, Anderson, Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Kuykendall, Kirk, Laws, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Vaughan, Waterson and Walker—22.

Nays—Messrs. Johnson, Jenkins, Martin, Simmons and Tebbs—5.

Absent—Messrs. O. H. Browne, S. G. Brown, Garvin, Garrett and Thompson.

Council Bills on the Table.

A bill to incorporate the Leavenworth City Lyceum. Read a first time.

A bill concerning marriage licenses.

Objections being made to the bill, and the question being on its rejection, the House then adjourned to 3 o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

The question being on the rejection of Council bill "concerning marriage licenses,"

A message from his Excellency, the Governor, was announced through the hands of his Private Secretary.

The question being taken, the bill was rejected by

Ayes—Messrs. Anderson, O. H. Browne, Butcher, Bernard, Dolman, Jenkins, Kuykendall, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Vaughan and Walker—17.

Nays—Messrs. Speaker, Brantly, Carr, Davis, Fox, Fain, Johnson, Kirk, Simmons, Thompson, Tebbs, Waterson and Young—13.

Absent—Messrs. S. G. Brown, Garvin, Garrett and White.

Council bill to amend "An act entitled an act to punish offences against slave property," was read a first time, and, on suspension of rules, read a second time by its title, and referred to Committee on Judiciary, &c.

The Governor's message, in answer to resolution of inquiry of 19th inst., was then taken up and read.

Executive Department—Lecompton,
Kansas Territory, Jan. 21, 1857.

To the House of Representatives of Kansas Territory:

Gentlemen: In reply to your resolution of 19th instant, which was received late on the 20th, requesting me to furnish your body with a statement of my reasons for not commissioning Wm. T. Sherrard as sheriff of Douglas county, I have the honor to state, that while I am disposed to accede to any reasonable request from the Legislature, I regard that matter as a subject of inquiry only from the Territorial Courts.

Prior to its announcement to me, the appointment of Mr. Sherrard was protested against by many good citizens of Lecompton and of Douglas county, as his habits and passions rendered him entirely unfit for the proper performance of the duties of that office.

There was no intention, however, on my part, to withhold his commission;

but in consequence of the absence of the Secretary of the Territory, it was delayed for several days, during which time I was informed by many respectable gentlemen, among whom were those of the County Tribunal from which he derived his appointment, that Mr. Sherrard had been engaged in several drunken brawls, fighting and shooting at persons with pistols, and threatening others. I have since been informed that these facts are notorious to the citizens of the place, and can easily be substantiated by proof. Should the contrary be made clearly to appear, no one will rejoice more heartily than myself.

But it is my desire to be distinctly understood, that I will commission no one laboring under such charges, as would impair, if not entirely, destroy his usefulness, or whose passions and habits would render unfit for the proper discharge of his duties, or which might in any manner endanger the peace of the Territory.

I am instructed from the source whence I derive my appointment, to pursue this course of policy. The true interest of the people of the Territory require it, and it is sanctioned and approved by my own judgment.

JNO. W. GEARY,
Governor of K. T.

On motion, the message was referred to Committee on Judiciary.

On motion, the rules were suspended, and Mr. Simmons, Chairman of the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred House bill No. 11, entitled "A bill to incorporate the Town Company of the town of Pierce," beg leave to report that they have had the same under consideration, and recommend the following amendments:

After the word located, in first section, insert "not to exceed three hundred and twenty acres," and strike out the enacting clauses in all except the first section.

Also, House bill entitled "An act to incorporate the Kansas Locating Association," and recommend that the words "three hundred and twenty" be substituted for "six hundred and forty," in second section.

Also, House bill No. 17, entitled "An act to incorporate the Roseport Town Company," and recommend that the words "three hundred and twenty" be substituted for "six hundred and forty," in second section.

Also, Council bill No. 6, entitled "An act to incorporate the town of Bloomington," and recommend that the words "three hundred and twenty" be substituted for "six hundred and forty," in second section.

Also, Council bill No. 4, entitled "An act to incorporate the Iowa Point Town Company," and recommend that the words "three hundred and twenty" be substituted for "six hundred and forty," in second section.

Also, House bill No. 22, entitled "An act to incorporate the Wyandott

City Company," and recommend that the words "three hundred and twenty" be substituted for "one thousand," in second section.

Also, House bill No. 18, entitled "An act to incorporate the town of Palmetto," and recommend that the words "three hundred and twenty" be substituted for "one thousand," in second section.

And, as amended, recommend their passage.

Your committee, after a careful consideration, have thought it fair and proper to make a uniform rule in the quantity of land to be inserted in town and city charters, and limit said quantity to three hundred and twenty acres, in accordance with the number allowed by the law of Congress, to be pre-empted in every town site in the Territory, and to prevent too great a monopoly in particular neighborhoods, where said town sites are located.

B. F. SIMMONS, Ch'n.

On motion, the rules were suspended, and the Committee on Federal Relations made the following report:

The Committee on Federal Relations, to whom was referred that portion of the Governor's Message not otherwise disposed of, offer the following report:

That it is with much pleasure your committee accept the congratulations of His Excellency, and can assure His Excellency of hearty co-operation, safely and permanently, so far as lies in our power, to preserve peace and quiet throughout the broad expanse of Kansas, that we may build up a model Commonwealth, enriched with all the treasures of learning, virtue and religion, and make it a choice heritage," not only for our latter days, but also "for many generations yet unborn."

And your committee earnestly recommend to the House the advocacy of the sound and conservative principles of Democracy, made known in the message as the guiding principles of His Excellency's administration. That they will truly and well sustain him in the furtherance of those sterling maxims, which are "sanctioned by the wisdom and experience of the past," and the true observance of which we confidently hope will render Kansas the brightest gem in the diadem of the Union. That "free and exact justice" will be meted, as has always been the aim of the law and order citizens, to all honest men, of every political shade and difference; and that as members of the law and order party, we heartily assure His Excellency of an open and generous disposition on our part to preserve pure and intact from partizan enthusiasm, or rabid fanaticism, those great principles of our Republic, which should be the touchstone of every patriot whereon to test the metal of his deliberations; and thus, as legislators and citizens, "pursue so high and lofty a course" as to commend our example to the world.

It has, and will always be the true endeavor of the party which we represent in Kansas, to engender in the minds of every citizen a pride that he is a Kansan; to know no party, no section, but only the interests of this Territory and the preservation of the Union; and we have ever been ready to bury the hatchet of contention, raised against that horde of fanatics who were governed by no law, no reason, no mercy, in the grand mausoleum of the past; to refrain and restrain the improper indulgence of harsh feelings and bitter acts; and we appeal confidently to our past history as an exhibition of our forbearance against treason and treasonable conspiracies in our own midst. We are now and ever ready to devote ourselves "to the true and substantial interests of Kansas; to develope her rich agricultural and mineral resources; build up manufactures; make public roads and other works of internal improvement; prepare for the education of the children;" and, in co-operation with His Excellency, endeavor to make Kansas the sanctuary where the inalienable rights of the individual, the citizen, and the commonwealth, will be protected as inviolate.

We can not but review the past history of Kansas with sadness and regret. She has been the theatre of contention and strife, and fratricidal blood even now calls to high Heaven for revenge; our land has been overrun by fanatical predatory bands—regardless of law, reason, and the dictates of mercy, laying waste fields "ripe unto the harvest"—applying the torch to the squatter's humble cabin—driving his family, houseless, provisionless, and unclothed, upon the broad prairies, to bear, with all its hardships, the rough climate and life of a new country. Aye, the influence of woman's gentle and kind features, her prayers said "through a multitude of tears," her earnest and sympathizing tones of entreaty, have been disregarded, and, with a barbarity hardly surpassed by the most uncivilized savage, she has been subjected to insults of the most heinous nature. We can congratulate our party that these have only been the acts of those who have been enshrouded by the dark pall of fanaticism; and we hope that the time is not far distant when "the true picture will be drawn by the iron pen of impartial history, and the actors in the various scenes be assigned their true positions."

In the midst of our trouble, His Excellency came as a stranger, with strong feelings of suspicion arrayed against him, and yet the law and order party extended to him, at the time of greatest excitement, the open and generous hand of confidence, and heartily co-operated with him, by "returning from the field of strife," thereby putting a "speedy termination to events so fraught with evil."

The effect has been advantageous to the peaceable citizens of Kansas. His Excellency, with the co-operation of law-abiding citizens, has succeeded in restoring public peace. It is true that gross outrages are occasionally perpetrated against good citizens by some of those who took up arms against the laws, but there are no longer armed companies, who carry opposition to our law, by the shedding of blood. We hope that peace may be entirely restored. We hope that treason is not merely slumbering. We are anxious to believe that they are not now plotting treason, but we can not have complete confidence while there is in our midst a large number of Black Republican traitors, who boast that they will resist to the sword any law for the protection of slavery which is attempted to be enforced against them, or its constitutional establishment in Kansas. The law has never been successfully executed against these men. They have resisted the officers when not accompanied with a sufficient posse, and when the posse was sufficiently strong to execute process they have evaded them. Such men we can never respect. They are traitors. They have endeavored to tear into fragments the charter of our liberties. They have caused the hearths of good citizens to reek with the blood of butchered innocence. They came to destroy our peace, and did it. There is no good in them. Who can tell but that their present apathy is in view of prospective wholesale treason?

Your committee regret that they can not coincide with his Excellency in his views with regard to a question which has so long divided the American people. He declares that "the Territorial Government should abstain from the exercise of authority not clearly delegated to it, and should permit all doubtful questions to remain in abeyance until the formation of a State Constitution. On the delicate and exciting question of slavery, a subject which so peculiarly engaged the attention of Congress at the passage of our Organic Act, I can not too earnestly invoke you to permit it to remain where the Constitution of the United States and that Act place it, subject to the decision of the Courts upon all points arising during our present infant condition."

While your committee concur with his Excellency in the opinion that the Legislature should carefully "abstain from the exercise" of all doubtful authority, "not clearly delegated," yet we can not see the expediency of repealing all statutes which relate to the protection of slave property; but on the contrary, under present circumstances, and from the conflict of opinion in regard to the consequences following no legislation upon such a subject, held by many influential members of Congress and also by a large portion of our own citizens, we see much difficulty arising to persons owning slaves in our midst, unless some express statute clearly protects them in the use and benefit of that property.

The Act organizing the Territories of Nebraska and Kansas, grants to the Legislatures of these Territories the full right to legislate upon all rightful subjects of legislation. Your committee believe with his Excellency that the decision of "slavery" or "no slavery," in Kansas, resides only with the people, when the time arrives for throwing aside its so-called "infant" condition, and taking its rank among the sovereign States of the Union.

Your committee believe that when the time arrives to form a State Constitution, the will of a majority of the actual and bona-fide residents shall obtain in full force, and that Congress is then bound to admit her without reference to any constitutional provision in regard to slavery.

The people of all the States have an equal right to enter into the Territory, and we are guarantied alike in our persons and property by the Constitution, which clearly recognizes the right of property in slaves. A Territorial government is granted us, and a Territorial Legislature is authorized to make all needful laws for the protection of our persons, our rights and our property, to prevent anarchy during that Territorial condition. Personal rights could not be successfully maintained in any other way. By reference to the treaty of cession, your Committee there find it specially provided, with a view to the protection of slave property, that the inhabitants of this Territory from its cession to its admission as a State "shall be maintained and protected in the full enjoyment of their liberty, property, and the religion which they profess."

Kansas has, therefore, delegated to her Legislature the power to protect slave property by that treaty, by the Constitution and by the Organic Act itself, which repealed the Missouri restriction—a restriction itself upon that treaty until the time arrives when her citizens shall frame a Constitution either prohibiting or recognizing slavery.

We cannot therefore discover, and do not believe, that the authority spoken of is doubtful, or that all laws relating to slave property to which his Excellency refers, attack the equality which underlies the very theory of our Territorial Government, and destroy the freedom of speech, and the privilege of public discussion, which is so essential to uncloak error and enable the people properly to mould their institutions in their own way. We have traced the power to pass those laws from the treaty of Cession to the Organic Act itself; it is derived from the great and true principles of popular sovereignty, recognized in the late Cincinnati Platform as the corner-stone and foundation of our republic, and since endorsed by the American people in the election of James Buchanan; it is justified in the axiom that a man's right to his property is natural and inherent, and paramount to all legislative or constitutional sanction or prohibition.

The right to hold property in slaves existed, as we have shown, anterior to its organization as a United States Territory. Slavery existed here at our organization, and slaves were held by our citizens as property. One fundamental object of legislation is to protect property, and our Legislature, whether it had, or had not, the power to prohibit or establish slavery, had most certainly the authority, and were in duty bound, to pass such laws for the protection of that species of property as were deemed expedient, provided those laws were not in violation of the Constitution of the United States and our Organic Act. This power, as has been observed, is in accordance with that great principle of the Democratic party which recognizes the right of the people of any State or Territory to legislate exclusively for themselves, subject only to natural right and constitutional provisions.

Consequently, the exercise of this power can not be at variance with the very theory of our government.

The question to be considered then, is, does that law conflict with the letter of the Constitution? Your committee have never seen any serious argument to prove such a conclusion; it would, therefore, be an act of supererogation in us to refute such an assumption. The conclusion then to which we are compelled is, that the acts referred to are both legitimate and just. They provide for the punishment of high crimes, for raising insurrections among negroes, for stealing slaves, and with the intent of rendering precarious slave property. If those laws are repealed or modified, it should be placed upon the true ground; "a reverential awe for the Constitution can be as well fostered and nourished" with those laws upon our statute books as by their repeal. Policy may dictate, and perhaps does, a partial repeal. Principle and feelings of patriotism do not. Your Committee are, however, willing that our laws shall be tested by the general and fundamental principles of our government; and that all which will not bear this ordeal, be revised, amended or repealed.

Your Committee recommend the co-operation of the House with his Excellency in petitioning Congress to provide for the payment of damages which have been sustained by many unoffending citizens during the disturbances which have been so rife in the Territory. There are many good and true citizens who have been robbed of all they possessed of this world's goods; had their improvements destroyed, and their wives and children turned out upon the cold charity of the world, dowerless and unportioned, by the many predatory bands of fanatical adventurers. Your Committee are pleased to notice that our worthy Representative in Congress has introduced such a bill, and would suggest the propriety of a memorial to Congress on the subject, urging speedy action, and recommending the exclusion of those who took up arms against the laws, and whose property may have been destroyed in the protection of life, or in the execution of legal process.

We notice, also, many omissions between the printed and written statutes, as also gross error in the Organic Act as published in our statute book, and would urge his Excellency's recommendation to appoint a Committee to compare the printed statutes with those on file in the Secretary's office.

We also endorse the action of his Excellency in his recommendation to Congress for large appropriations, to aid us, so peculiarly situated by our past history, in throwing aside the shackles of penury, which have bound us prostrate, and thus enable us, by one great stride, to make up past deficiencies and assume the rank to which by our climate, our soil, and the character of our inhabitants, we are so justly entitled. And as one great link in the chain of our prosperity is the early extinguishment of Government's title in the lands, and its possession in the hands of the actual settlers, we recommend the establishment of two or more additional land offices, and co-operation in this measure, also, with our worthy Representative by memorial.

We also endorse fully his Excellency's recommendation in reference to the large Indian reservations in our midst, and think it advisable on the part of the House to prepare, in conjunction with the Council, a memorial to Congress and the President, for the early extinguishment of the Indian title to these lands.

In conclusion, your Committee can but regret the excesses that have been committed by irresponsible parties, claiming to be Law and Order. We have ever tried to be just and patriotic in our endeavors; the past we bury in oblivion, and, discarding all sectional or partisan feeling and names, we rally around the great principles of national democracy, as those which are indeed "the savor of life unto life" to Kansas, and around which the Constitution and the Union circle—the great and abiding landmarks of this republic, which no fanatical, fratricidal or partisan hand should touch with impunity, and in which only justice and patriotism delight.

JOS. C. ANDERSON, Ch'n.

On motion of Mr. Jenkins, the report was received, ordered to be printed, and made the order of Friday.

The Committee on Engrossed and Enrolled Bills reported as truly enrolled "An act to locate permanently the county seat of Linn county."

Second Reading of Council Bills.

"A bill declaring certain banking associations unlawful," was read a second time and referred to Committee on Judiciary.

A bill regulating actions, was read a second time, and referred to Committee on Judiciary.

A bill to incorporate the Leavenworth Lyceum, was read a second time by its title, on suspension of rules, and referred to Committee on Education.

And, a bill to amend an act entitled "An act to provide for the recovery of debts by attachment," was read a second time, and referred to Committee on Judiciary.

Mr. Simmons, by suspension of rules, offered the following Joint Resolution:

Whereas, several Indian depredations have been committed in the western part of Kansas Territory, and particularly on the Fort of Wm. W. Bent, on the upper Arkansas river, during the year 1856; and, whereas, the Indians in that region have been hostile towards the white settlers for some time past, and probably will so continue until they are subdued by Government; therefore,

Be it Resolved, by the House of Representatives of the Territory of Kansas, the Council concurring therein, that the Congress of the United States be memorialized to provide for the better protection of that portion of the country, by the erection of suitable military posts at the Pawnee Fork, and Bent's Fort; and also recommend that the losses sustained by the said Bent and others, by the late Indian incursions upon Bent's Fort, be investigated and allowed by the Government; and further, to allow whatever damages may have been incurred by other depredations.

By leave, Mr. O'Driscoll introduced a bill to incorporate the Roseport Insurance Company. Read a first time.

On motion, the House then adjourned.

THURSDAY, JANUARY 22, 1857.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The following members were absent at the call of the roll:

Messrs. Anderson, O. H. Browne, Garrett, Walker and White.

SICK—Mr. Garvin.

The Journal of yesterday was read and approved.

Report of Committees.

The Committee on Finance have had under consideration "A bill repealing an act supplemental to an act to provide for the collection of the revenue," and beg leave to report the same back to the House, and recommend its rejection.

The act proposed to be repealed, commonly known as the "dollar law," has been the subject of much denunciation. It simply assesses a poll tax of one dollar on each elector for the year 1855. It can not be construed as having effect in any subsequent year. To repeal it then would be worse than supererogation. It would appear to the world like a valorous attack upon a dead lion.

Denunciation of this law has come to us from the north and east. In Maine, New Hampshire, Vermont and Massachusetts, however, taxation is an elementary and fundamental principle in the basis of representation. In Rhode Island they have the identical dollar law—not a mere statute, but a provision in the present constitution of that State, adopted in 1842. If the Legislature of Kansas, in assessing a tax of one dollar on each elector, has sold the right of suffrage to white men, then did the New York constitutional convention of 1846 sell it to free negroes. If Kansas has sold the elective franchise, then has Pennsylvania done the same thing for the last eighteen years. No man over twenty-two years of age can vote in Pennsylvania without having paid a tax.

The Committee deem it a waste of time to defend the policy of law that expired by its own limitation more than a year ago, nor are they disposed at this late date to enter the tomb and dissect its carcass.

O. H. BROWNE, Ch'n.

The Committee on Finance have had under consideration "A bill to amend an act to provide for the pay of officers and others, and beg leave to report, that a diversity of opinion exists among the members of the Committee as to the mileage of constables, and that they have therefore reported the bill without amendment, that it may be amended by the House if necessary.

The Committee are unanimously in favor of an increased compensation of constables, and therefore recommend the passage of the bill in such shape as a majority of the House may be able to agree upon.

O. H. BROWNE, Ch'n.

The Committee on Finance have had under consideration House bill "for the relief of the collectors of the revenue," and beg leave to report the same without amendment, and recommend its passage.

O. H. BROWNE, Ch'n.

Agreed to.

The Committee on Roads and Highways have had under consideration House petition No. 3, beg leave to report the same back, and recommend that no action be taken thereon.

JAS. KUYKENDALL, Chairman.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred House bill, entitled "A bill to change the Judicial Districts of Kansas, and for other purposes," report the same back and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Bounds of Counties and Districts, to whom was referred House bill "to provide for the removal of county seats," beg leave to report the same back to the House without amendment, and recommend its passage.

R. L. KIRK, Chairman.

Agreed to.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred House bill "to legalize the acts of the Board of County Commissioners of the county of Anderson," report the same back without amendment, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Roads and Highways, to whom was referred House bill No. 37, "An act supplemental to an act to establish a Territorial road from a point opposite St. Joseph Mo., to the Great Nemaha river," report the same back, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The Committee on Roads and Highways, to whom was referred House bill "to charter a ferry across the Kansas river at Calhoun, in Kansas Territory," beg leave to report the same back without amendment, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

Mr. Vaughan gave notice of the introduction of "A bill to incorporate the Mine Hill Railroad Company."

Second Reading of Bills.

A bill to authorize Hugh Cameron to keep a ferry. Referred to Committee on Roads and Highways.

A bill to incorporate the Town Company of Eureka. Referred to the Committee on Corporations.

A bill to provide for the location of Territorial roads in the Territory of Kansas. Referred to the Committee on Roads and Highways.

A bill to provide for the location of a Territorial road from Lecompton to Roseport, in Doniphan county. Referred to Committee on Roads and Highways.

A bill to establish a Territorial road from the town of Delaware, Leavenworth county, to the city of Lecompton. Referred to Committee on Roads and Highways.

A bill to establish a Territorial road from Willow Springs to the city of Lecompton. Referred to Committee on Roads and Highways.

A bill to incorporate the Iowa Point Town Company. Referred to Committee on Corporations.

A bill to establish a Territorial road from Atchison to Vermillion city, in Kansas Territory. Referred to Committee on Roads and Highways.

A bill to establish a Territorial road from St. Mary's Mission to Fort Riley. Referred to Committee on Roads and Highways.

Mr. Thompson offered the following joint resolution:

Resolved by the House of Representatives of the Territory of Kansas, (the Council concurring therein,) That a committee of five be appointed by the Speaker from the House, to confer with a committee of the same number from the Council, with instructions to report a bill reorganizing the Judicial Districts of the Territory.

Mr. Jenkins moved as amendment to the resolution that the number from the Council be three.

Mr. Waterson moved as a substitute to amendment that the number from Council be [illegible]

Mr. Jenkins moved that the substitute be rejected. Lost by

AYES—Messrs. Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Vaughan and Young—8.

NAYS—Messrs. Speaker, Anderson, O. H. Browne, Butcher, S. G. Brown, Bernard, Brantly, Davis, Dolman, Fox, Fain, Kuykendall, Laws, McKenney, O'Driscoll, Reese, Randall, Stout, Spratt, Thompson, Waterson and Walker—22.

ABSENT—Messrs. Garvin and White.

The question being then on the adoption of the resolution as amended by the substitute, it was adopted.

Message from the Council by its Clerk, Mr. Grover:

I am instructed to inform the House that bills of the following titles have been introduced into the Council:

A bill more particularly to define the boundaries of the several counties of the Territory.

A bill to authorize the formation of railroad associations, and to regulate the same.

A bill to incorporate the Lecompton Improvement Association.

A bill to repeal all laws requiring oaths not authorized by the Organic Act.

A bill to incorporate the Central Railroad Company.

A bill to amend certain parts of an act concerning corporations.

And that they have passed the following bills:

An act to prescribe the duties of judges and justices in certain cases.

An act to amend an act to provide for the pay of officers and others.

An act to authorize the formation of railroad associations, and to regulate the same.

An act to incorporate the Prairie City and Missouri State line Railroad Company.

An act to incorporate the Hiawatha Town Company.

An act to incorporate the inhabitants of the town of Delaware, in Leavenworth county.

An act to incorporate the Central Railroad Company of Kansas Territory.

An act to change the name of J. S. H. Martin to J. S. H. Burress.

An act to repeal all laws requiring test oaths not authorized by the Organic Act.

An act to authorize the payment of $29 to S. Matney.

Also House bill—

An act to incorporate the National Hotel Company.

Mr. Waterson gave notice of the introduction of "A bill to amend an act concerning strays."

On motion, the House adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Reports and other business on the table being in order,

The report of Committee on Corporations, made on Wednesday, was taken up, and, on motion, recommitted with the bills.

On motion, the rules were suspended, and

Mr. Kuykendall introduced a bill declaring Francis Ravilett, a minor, of age for certain purposes.

The rules being suspended, the bill was read a second time by its title, and referred to Committee on Judiciary.

On motion, the rules were suspended, and

Mr. Martin introduced a bill to incorporate the Farmers' and Mechanics' Bank, to be located at the city of Leavenworth, with power to establish a branch at the city of Lecompton. Read a first time.

The rules being suspended, Mr. Walker introduced a bill to incorporate the Wyandott City Company. Read a first time, and, on suspension of rules, read a second time, and referred to Committee on Corporations.

The joint resolution of Mr. Simmons, in regard to Indian depredations on Bent's Fort, was taken up, read a second time, and

On motion of Mr. Thompson, the resolution was referred to a special committee of three, to be called the Committee on Indian Affairs.

Committee—Messrs. Walker, Simmons and Thompson.

On motion, the rules were suspended, and

Mr. Anderson introduced a bill to incorporate the Shannon Hotel Company. Read a first time, and, the rules being suspended, was read a second time by its title, and referred to Committee on Corporations.

Message from the Council by Mr. Grover, Clerk:

I am instructed to inform the House that the Council have passed Council bill to define the Judicial Districts of the Territory of Kansas.

On motion, the House then adjourned.

FRIDAY, January 23, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

The roll being called, the following members were absent:

Messrs. Carr, Fain, Walker, White and Young.

The proceedings of yesterday were read and approved.

Message from the Council by Mr. Hughes, Chief Clerk:

I am instructed to inform the House that bills of the following titles have been introduced into the Council:

A bill to incorporate the Powhattan Town Company.

A bill concerning tender and confession.

A bill to incorporate the Buffalo Town Association of Kansas Territory.

A bill concerning sounds, distraining animals.

A bill to encourage the navigation of Kansas river.

A bill supplemental to an act entitled "An act to incorporate the city of Leavenworth."

A bill to organize the county of Coffey.

A bill to incorporate the inhabitants of the town of Doniphan, in Doniphan county.

Reports of Standing Committees.

The Committee on Corporations, to whom was referred House bill "to incorporate the Manhattan Institute," have had the same under consideration, and recommend the addition of the following sections:

"Sec. 6. Said corporation shall not hold any real estate except such as may be necessary for the use of the society; and it may continue so long as it faithfully observes the objects of the institution; but the Legislative Assembly, whenever satisfied that it has failed to accomplish or pursue its objects, or has violated any of the provisions of this act, may alter or repeal the same.

Sec. 7. Nothing herein contained is to conflict with the provisions of the law of corporations as passed by the last Legislative Assembly of the Territory of Kansas.

B. F. SIMMONS, Chairman.

Agreed to.

On motion, the rules were suspended, the amendments read a second time, and bill, as amended, ordered to be engrossed and read a third time on Saturday, January 24th.

The Committee on Corporations, to whom was referred Council bill "to incorporate the Iowa Point Town Company," have had the same under consideration, and report it back with the following amendment: Wherever the words "six hundred and forty" occur, read "three hundred and twenty."

B. F. SIMMONS, Ch'n.

Mr. Kirk moved to suspend the rules and read the amendments a second time. Lost by

Nays—Messrs. O. H. Browne, Bernard, Dolman, Garret Johnson, Jenkins, Kuykendall, Laws, Martin, McKinney, O'Driscoll, Brantly, Stout, Simmons, Vaughan, Waterson and Walker—17.

Ayes—Messrs. Speaker, Butcher, S. G. Brown, Brantly, Carr, Davis, Fox, Garvin, Kirk, Reese, Spratt, Tebbs and Young—13.

Absent—Messrs. Anderson, Fain, Thompson, and White.

Mr. Waterson moved to reject the amendment. Lost by

Nays—Messrs. Speaker, Anderson, Butcher, Bernard, Carr, Garvin, Garrett, Kuykendall, Kirk, Laws, Martin, Randall, Simmons, Tebbs, Vaughan, Walker and Young—17.

Ayes—Messrs. O. H. Browne, S. G. Brown, Brantly, Davis, Dolman, Fox, Johnson, Jenkins, McKinney, O'Driscoll, Reese, Stout, Spratt, and Waterson—14.

Absent—Messrs. Fain, Thompson and White.

Mr. Anderson moved as a substitute to the amendment of committee, after the word "stockholder," where it last occurs in section 11th, add

Sec. 12. It is the intention of this act to grant no right or privilege inconsistent with or contrary to the laws of Congress in such cases made and provided.

Which prevailed.

On motion, the rules were suspended, the substitute read a second time, and bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on the Judiciary, to whom was referred House bill repealing the 12th section of "An act to punish offences against slave property," have had the same under consideration, and recommend its passage.

Your Committee are of the opinion that it was not the intention of the last Legislature to violate any of the provisions of the Constitution of the United States; nor their intention to deny to any citizen of the Union, a just and full expression of their sentiments on abstract questions. But this being a statute in derogation of human liberty according to all rules of law, must be construed strictly. With such a construction, your committee are forced to report the bill back and recommend its passage.

D. J. JOHNSON, Ch'n.

Message from the Council by Mr. Hughes, Chief Clerk:

I am instructed by the Council to inform the House of the passage of the following joint resolution:

Be it enacted by the Council (the House concurring therein,) That a Joint Committee of the two Houses, consisting of two from the Council and three from the House, be appointed and instructed to open and carry on a correspondence with the Legislatures of Nebraska and Texas, upon the subject of the Great Central Railroad through Nebraska, Kansas and Texas to Galveston Bay.

The Committee on Corporations, to whom was referred House bill No. 47, "to incorporate the city of Iowa Point," recommend the passage of same without amendment.

B. F. SIMMONS, Chairman.

Agreed to.

The Committee on Bounds of Counties and Districts, to whom was referred House bill No. 32, "to locate the county seat of Johnson county permanently," have had the same under consideration, and beg leave to report the same back to the House, and recommend its rejection.

R. L. KIRK, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred House bill No. 19, "to incorporate the City of Roseport," have had the same under consideration and recommend its rejection, and the enclosed bill a substitute therefor.

B. F. SIMMONS, Ch'n.

Agreed to.

The rules being suspended, the substitute was read a second time by its title. The rules being suspended, the bill was considered as engrossed, read a third time and passed.

The rules being suspended, the concurrent resolution of the Council in reference to a great Central Railroad, was, on motion, taken up and concurred in.

The Committee on Education, to whom was referred Council bill No. 17, "to incorporate the Leavenworth Lyceum," report the same back and recommend its passage.

JAMES P. CARR, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred House bill No. 35, "to incorporate the Kansas Stock Company," have had the same under consideration, and report it back to the House, and ask that it be referred to Committee on Agriculture.

B. F. SIMMONS, Chairman.

Agreed to.

By leave, Mr. Anderson introduced a bill to incorporate the Missouri and Kansas Railroad Company.

Read a first time.

By leave, Dr. Tebbs introduced a bill to authorize W. F. & G. M. Dyer to establish a bridge across Grasshopper creek, at the crossing of the military road at the town of Osawka.

Read a first time.

In pursuance of notice, Mr. Thompson introduced a bill to amend the act incorporating the City of Lecompton. Read a first time.

By leave, Dr. Tebbs introduced a bill amendatory of an act to provide for the location of Territorial roads in the Territory of Kansas. Read a first time, and, on suspension of rules, a second time, and referred to Committee on Roads and Highways.

The Speaker announced the committee on part of the House under concurrent Resolution for re-organizing Judicial Districts—Messrs. Thompson, Waterson, Johnson, Brantly and O. H. Browne. Messrs. Thompson and Browne asked to be excused, and Mr. Anderson was placed as Chairman, vice Mr. Thompson, and Mr. Carr was substituted for Mr. Browne.

On Committee to correspond with the Legislatures of Nebraska and Texas in regard to railroad; Messrs. Jenkins, Anderson and Spratt.

Indefinite leave of absence was granted to Mr. S. G. Brown.

The House adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

On motion of Mr. Brantly,

The House resolved itself into Committee of the Whole, to take into consideration the report of Committee on Federal Relations; Mr. Waterson in the chair.

After some time spent in committee, it rose and through their Chairman, Mr. Waterson, made the following report:

The Committee of the Whole House having under consideration the report of Committee on Federal Relations, beg leave to report progress and ask leave to sit again.

T. W. WATERSON, Chairman.

The special order of the day was suspended and the House resumed the regular business—being

Reports of Standing Committees.

The Committee on Judiciary and Criminal Jurisprudence made the following report:

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred House bill No. 14, entitled "An act to declare valid the official acts of W. T. Sherrard, and to make valid his appointment to the office of Sheriff of Douglas county," having had the same under consideration, beg leave to make the following report:

Your committee deem it proper that they should briefly refer to the reasons which prompted the introduction of the bill on which we are called to report.

By a certified transcript from the office of Clerk of the County Court, which has been inspected by us, we find that on the sixteenth day of December, 1856, Samuel J. Jones resigned the office of Sheriff of Douglas county, Kansas Territory, and that Wm. T. Sherrard was duly appointed in his place; and it also appears by other evidence that he, some days thereafter, applied to the Governor for his commission and was refused.

In the deliberate opinion of your committee, it was the duty of the Governor to have issued the commission when evidence of the appointment was presented to him, and that his refusal so to do was a gross violation of law, and an unwarrantable assumption of power.

Your committee would be slow to make such a charge against the Chief Executive officer of the Territory were they not fully satisfied of its truth, and if the assumption of power on his part was not at war with not only the Organic Act and the laws of the Territory, but in fact with the fundamental principles of our government, and might prove subversive of the liberties of the people.

We hold that the duty of the Governor was purely ministerial in its character, and would refer to the several sections regulating the subject.

The 25th section of the Organic Act declares "that all township, district and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided for, by the Governor and Legislative Assembly of the Territory of Kansas;" and the 20th section of the same act provides that the Governor "*shall* commission all officers who shall be appointed to office by the laws of the said Territory, and shall take care that the laws be faithfully executed." From these two sections, it will be observed that the organic act empowered the Legislative Assembly to provide for the appointment of sheriffs, and that it is the duty of the Governor to commission them.

In obedience to the command of the law, the Legislative Assembly at its last session provided that "if any vacancy happens in the office of sheriff, such vacancy should be filled by appointment, by the tribunal transacting county business for the unexpired term," (see Statutes Kansas Territory, chap. 150, sec. 7,) and the first section of the same chapter declares that the sheriff "*shall* be commissioned by the Governor."

No objection has been urged by the Governor to the power of the tribunal transacting county business to make such an appointment, nor do we think that any could be successfully urged against it; but the refusal seems to be based upon the ground that the Governor has the right to determine the propriety thereof, from which we totally dissent. The language of the law is imperative. It declares that he shall commission all officers who may be appointed to office under the laws of the Territory. Here, then, is a clear and unequivocal declaration of law as to the duty of the Governor, and there need be no resort to legal deductions to define and establish the same; but even if we were left to such a mode to arrive at the correct rule, we fully believe we would be sustained in declaring his functions purely ministerial, and that he should have issued the commission; for the well received rule of law is, that the functions of an Executive officer are in the main ministerial, and that if he have the judicial power of determining, it must have been specifically defined.

We deny that the law gives him any such right, and assert that the power of appointment in this instance was vested in the county court.

We scarcely need refer to the opinion of the highest court of the land to sustain us in asserting that a commission is simply an evidence of appointment, and that the act of issuing it is purely ministerial.

Your commitee feel called upon to express their surprise at the singular communication which has been presented to the House by the Governor, in which he gives his reasons for refusing the commission in question, and can but look on it as a gross assault upon the character of a citizen of our Territory.

In that communication, the right of this House to call upon the Governor for the reasons of his refusal to issue the commission is distinctly denied; but still he proceeds to furnish the reasons, if such they could properly be styled, by which he was governed. After denying the right of the House to call upon him, we hold that every assertion of that communication was gratuitous and utterly uncalled for.

Among other things in that communication to which your committee deem it necessary to refer, is the statement substantially made, that he was instructed by the sourse whence he derived his appointment, to exercise a discretion as to whom he would or would not commission to office.

Your committee are slow to believe that the Chief Magistrate of this great Republic, with a world-wide renown for its proud and lofty position among the nations of the earth, should have ever attempted to delegate to a Territorial Governor a power he himself never possessed.

The absence of all evidence tending to show that the tribunal transacting county business have ever attempted to revoke or rescind their appointment, is of itself satisfactory evidence to your committee that they have seen no reason to change their opinion of its propriety, notwithstanding the intimations of the message.

Your committee, for their guidance, have had handed to them a written statement under oath, of Wm. T. Sherrard, defending himself against charges made against him by his Excellency in the communication before alluded to, which statement is hereto annexed, and your committee request that it may be made a part of this report.

In conclusion, your committee, believing that nothing but a wholesome check would be placed upon the Executive authority by the passage of this act, report it back to the House, with a recommendation to that effect, so that the laws may be enforced according to the act of Congress and of the Legislative Assembly.

D. J. JOHNSON, Chairman.

WEDNESDAY, January 21, 1857.

To the Judiciary Committee of the House of Representatives
of Kansas Territory:

GENTLEMEN: In reply to the special message of His Excellency, John W. Geary, relative to my appointment to the office of sheriff of Douglas county, permit me to submit the following statement for your consideration.

On the 16th day of December last, I was appointed, in accordance with the laws of the Territory, sheriff of Douglas county, by the tribunal transacting county business.

On the 18th day of December, I called at the Executive office, and inquired of the Governor if the appointment had been certified to him by the clerk of the county tribunal. He replied that it had. I then respectfully requested that he would cause the commission to be made out as soon as possible; adding at the same time, as a reason for the request, that I had understood that there were many writs which ought to be served at once, and that there was at that time no officer in the county to execute them. The Governor appeared not to appreciate the force of these reasons, and even betrayed some excitement at the suggestions I had made. In the course of a rather warm conversation that ensued, he said, "before I make this appointment I wish to know whether you *expect to act inimicably to me, or not.* I expressed my surprise at the question, and said that it seemed to me to imply that he desired to impose conditions on me before he discharged a duty required of him by the law; if such was the meaning, I had only to say that in executing the office to which I had been appointed, I should endeavor to be guided only by my oath and my duty, and, whilst I did this, should certainly pay no regard to him, his wishes or opinions.

The conversation continued for some time longer, and at the close of it he said that the commission should be made out between that time and the next day. Some days after, having heard nothing in the meanwhile from the Governor, I write him a formal note demanding my commission, and informing him that, in case of refusal, I should be constrained to use legal means to compel him to issue it.

Before sending it, however, I learned from R. H. Bennett, that in an interview he had had with the Governor he had been informed by him that he (the Governor) had understood that I was about to apply for a *mandamus;* that this was unnecessary, as he had never intended to refuse to issue the commission, and that he would have kept his promise but for the absence of the Secretary of the Territory; adding, that, as soon as the Secretary returned, the commission should be made out. Hearing this, I delayed sending the letter until the 29th, when (the Secretary having returned on the 26th) I mailed it, merely adding postscript, saying that I should, without further delay, pursue the course I had indicated in the letter.

I now come to that part of the letter which charges me, upon the information of "many respectable citizens of Lecompton and of Douglas county," with having been engaged in several fights, shooting affairs, &c. The only shooting affair in which I have ever been engaged in my life, occurred on the 5th of December, eleven days before my appointment by the commissioner's court, when the facts were as notorious as they ever have been since, and therefore could not have been alleged by "many good citizens," or by "members of the tribunal from which I received my appointment," as a reason why I should not be commissioned by the Governor. For if it was a justification of the Governor, to whom the laws gave no discretion in the matter, in refusing the commission, was it not a proper ground for the tribunal, with whom of course it was entirely discretionary, to have refused to make the appointment? The only other affair to which the Governor could possibly have alluded, occurred on the 26th of December, *after* my first demand for my commission, and after such a delay as amounted to a refusal, and can not, therefore, be assigned as the cause of that refusal.

Although I do not now design to go into a defence of what I did upon those occasions, yet I will merely say, that I have never at any time shrunk from a legal investigation, and am now willing to submit my conduct to the decision of a jury of my countrymen, conscious that I have only exercised the right of every freeman to defend his reputation and person, and that I can substantiate this by testimony.

To the other grossly injurious personal reflection of the Governor, I have at this time no reply to make; not regarding myself as accountable to him for my official or personal conduct, I shall enter into neither explanation or defence. I shall, however, not have much fear of the judgment of that portion of the public to which either his Excellency, John W. Geary, or myself, are known. I am, gentlemen,

With great respect,
Your obed't serv't,
W. T. SHERRARD.

Sworn to and subscribed before me, this 22d January, 1857.

S. G. CATO,
Associate Justice of the Supreme Court, Kansas Territory.

The Committee on Engrossed and Enrolled Bills reported as truly enrolled "An act to incorporate the National Hotel Company."

On motion, the House then adjourned.

SATURDAY, JANUARY 24, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

The roll being called, the following members were absent:

Messrs. Bernard, Johnson, Laws and White.

The proceedings of yesterday were read and approved.

Reports of Committees being in order, the following were made:

The Committee on Corporations, to whom was referred House bill "to incorporate the town of Palmetto," have had the same under consideration and beg leave to report it back, with the following section as amendment:

Sec. 6. It is the intention of this act to grant no right or privilege inconsistent with, or contrary to, the laws of Congress, in such cases made and provided.

And, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules being suspended, the amendment was read a second time.

The rules being suspended, the bill was read a third time by its title, and passed.

The Committee on Corporations, to whom was referred House bill No. 17, entitled "A bill to incorporate the Roseport Town Company," have had the same under consideration, and beg leave to report it back with the following additional section:

Sec. 7. It is the intention of this act to grant no right or privilege inconsistent with, or contrary to, the laws of Congress, in such cases made and provided.

And, as amended, recommend its passage.

B. F. SIMMONS, Ch'n.

Agreed to.

The rules were suspended and amendment read a second time.

The rules were suspended, the bill as amended considered engrossed, read a third time by its title, and passed.

The Committee on Corporations, to whom was referred House bill No. 22, "to incorporate the Wyandott City Company," have had the same under consideration, and beg leave to report the same without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended, the bill considered as engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Kansas Locating Association," have had the same under consideration, and beg leave to report the same with the following amendment:

Sec. 6. It is the intention of this act to grant no right or privilege inconsistent with, or contrary to, the laws of Congress, in such cases made and provided.

And, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended, and the amendment read a second time.

The rules being suspended, the bill, as amended, was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 40, "to establish a ferry on the Kansas river, at the crossing of the Territorial road running from Bernard's store to Leavenworth city," beg leave to report the same without amendment, and recommend its passage.

JAMES KUYKENDALL, Ch'n.

Agreed to

The rules were suspended, the bill considered engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill "to authorize Hugh Cameron to keep a ferry," have had the same under consideration, and beg leave to report it back with the following amendment: After the word "required," in second section, insert "to take bond," and, as amended, recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

The rules were suspended, and amendment was read a second time.

The rules being suspended, the bill was considered engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was reported House bill No. 34, entitled "An act to establish and locate a Territorial road from the city of Lecompton to the county seat of Allen county," have had the same under consideration, and beg leave to report the same with the following amendment: In fourth section, after the word "meet," read "that the Commissioners, the Surveyors, and chain-carriers, shall each receive the same fees as are allowed for such services by the general law regulating the location of Territorial roads," and, as amended, recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules being suspended, the amendment was read a second time, and the bill, as amended, ordered to be engrossed and read a third time on Monday.

The Committee on Roads and Highways, to whom was referred House bill No. 43, entitled "An act to declare the military road from Fort Riley north-west to the Nebraska line, a Territorial road," report the same back, and recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

The rules were suspended, the bill read a third time and passed.

The rules being suspended, on motion of Mr. Johnson, the report of the Committee on Judiciary in regard to the office of sheriff of Douglas county, was made the order for the evening session.

The Committee on Roads and Highways, to whom was referred House bill No. 37, entitled "An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas," have had the same under careful examination, and recommend its rejection.

JAS. KUYKENDALL, Ch'n.

Disagreed to.

The rules were suspended, the bill considered as engrossed, read a third time and passed.

Mr. Tebbs moved to reconsider the vote of passage. Lost by

Nays—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Davis, Dolman, Garrett, Jenkins, Martin, McKinney, O'Driscoll, Reese, Randall, Simmons, Thompson, Vaughan, and Waterson—19.

Ayes—Messrs. Carr, Fox, Fain, Garvin, Johnson, Kirk, Stout, Spratt, Tebbs, Walker and Young—11.

Excused—Mr. Kuykendall.

Absent—Messrs. Laws and White.

The Committee on Roads and Highways, to whom was referred House bill "to establish a Territorial road and highway along the valley of Big Blue river," have had the same under consideration, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules were suspended, the bill considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill "to locate and establish a Territorial road from Fail's store to Cofachique, in Allen county," have had the same under consideration, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules were suspended, bill considered as engrossed, read a third time, and passed.

The Committee on Roads and Highways, to whom was referred House bill "to establish a Territorial road from Wyandott city to Missouri State line, near Westport, Mo.," have had the same under consideration, and recommend its rejection.

JAS. KUYKENDALL, Ch'n.

Agreed to.

Leave of absence until Tuesday was granted Mr. Kuykendall.

By leave, Mr. Anderson made the following report from Special Committee:

The committee on the part of the House, under a concurrent resolution to take into consideration a reorganization of the Judicial Districts, have ascertained that the Council have not acted upon said resolution, having appointed no committee with whom the committee on the part of the House could act.

Your committee represent further that the Council have acted upon the subject referred to this committee, by passing a bill re-districting the Judicial Districts in the Territory. Your committee are unable, under the circumstances, to act in the premises, and therefore ask to be discharged.

Agreed to.

The Committee on Roads and Highways, to whom was referred House bill "to establish a Territorial road and highway from Doniphan via Iowa Point to Kansas and Nebraska line, opposite Ray's ferry," have had the same under consideration, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules were suspended, the bill considered engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 46, "to establish a Territorial road from St. Mary's Mission to Fort Riley," have had the same under consideration, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules were suspended, the bill considered engrossed, read a third time, and passed.

The Committee on Roads and Highways, to whom was referred House bill "to establish a Territorial road from Lecompton to Barnsville county, Kansas Territory," have had the same under consideration, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules were suspended, the bill considered engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 45, "to locate a Territorial road from Council City to the town of Columbia, Kansas Territory," have had the same under consideration, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules were suspended, the bill considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 49, "to establish a Territorial road from Lecompton to Roseport," have had the same under careful examination, and recommend its rejection.

JAS. KUYKENDALL, Ch'n.

Disagreed to by

Nays—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Brantly, Carr, Davis, Dolman, Garvin, McKinney, O'Driscoll, Reese, Randall, Thompson, Waterson and Walker—16.

Ayes—Messrs. Fox, Fain, Kuykendall, Kirk, Stout, Spratt, Simmons, Tebbs, Vaughan and Young—10.

Absent—Messrs. Bernard, Garrett, Johnson, Jenkins, Laws, Martin and White.

The bill was then read a third time, and passed by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Brantly, Davis, Dolman, Garvin, Garrett, Jenkins, Laws, McKinney, O'Driscoll, Reese, Randall, Spratt, Simmons, Thompson, Vaughan, Waterson and Walker—21.

Nays—Messrs. Carr, Fox, Fain, Kuykendall, Kirk, Stout, Tebbs and Young—8.

The House adjourned to 2½ P. M.

EVENING SESSION.

House met pursuant to adjournment.

On motion, the House resolved itself into Committee of the Whole, having under consideration the report of the Committee on Federal Relations. Mr. Brantly in the chair.

After some time thus spent, the committee rose and made the following report:

That the Committee of the Whole House have had under consideration the report of the Committee on Federal Relations, report progress, and ask leave to sit again on Tuesday.

B. BRANTLY, Ch'n.

Message from the Council by Mr. Grover, Clerk:

I am instructed to inform the House of the introduction of the following bills into the Council:

A bill in relation to public roads.

A bill to declare a military road a public highway and Territorial road.

And that the following Council bills have passed:

An act to establish a Territorial road from Kickapoo, by way of Oscaloosa or Newell's mills, to Topeka.

An act to establish a Territorial road from Leavenworth to Lecompton, divering to Lawrence.

An act to incorporate the Powhattan Town Company.

An act to incorporate the Buffalo Town Association of Kansas Territory.

An act to incorporate the inhabitants of the town of Doniphan, in Doniphan county.

An act to incorporate the Marysville or Palmetto and Roseport Railroad Company.

An act to locate a road from Shawnee Mission to Cofachique.

An act concerning tender and confession.

An act supplemental to an act to incorporate the city of Leavenworth.

An act to encourage the navigation of Kansas river.

Also House bills, entitled

An act to establish a ferry at the mouth of Big Sugar creek, on the Marais des Cygnes, in the Territory of Kansas.

An act to establish a Territorial road from Atchison, via Mount Pleasant, to some point on the Kansas river opposite Lecompton.

An act to establish a Territorial road from Wyandott, via Secondine, to Lecompton.

Mr. Thompson, by unanimous consent, introduced a bill to incorporate the Bank of the Capital. Read a first time.

Mr. Johnson, also by consent, introduced a bill to incorporate the city of Topeka. Read a first time.

The House then adjourned.

* * *

MONDAY, January 26, 1857.

The House met pursuant to adjournment.

The roll being called, the following members were absent: Messrs. Garrett, Vaughan and White.

Absent by leave—Messrs. S. G. Brown, Garvin and Kuykendall.

The Journal of Saturday was read and approved.

The unfinished business of Saturday, being the report of the Committee on Judiciary, on the bill to make valid the appointment of W. T. Sherrard as sheriff of Douglas county, was, on motion, taken up.

The report was agreed to.

On motion, the bill was read a third time and put upon its passage.

Mr. Brantly moved that the further consideration of bill be postponed.

The previous question was demanded.

And the question, "shall the main question be put?" was sustained, and the bill was then passed by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Carr, Johnson, Jenkins, Kirk, Martin, McKinney, O'Driscoll, Randall, Spratt, Simmons, Thompson, Tebbs, Walker and Young—18.

Nays—Messrs. Bernard, Davis, Fox, Fain, Laws, Reese, Stout and Waterson—8.

Absent—Messrs. Dolman, Garrett, Vaughan and White.

Excused—Mr. Brantly.

By leave, Mr. Tebbs introduced a bill to incorporate the Missouri River and Rocky Mountain Railroad Company. Read a first time, and, by suspension of rules, a second time, by its title, and referred to Committee on Corporations.

By leave Mr. Martin introduced a bill supplemental to an act entitled "An act to grant pre-emptions to school lands in certain cases." Read a first time.

On suspension of rules, the bill was read a second time, and referred to Committee on Education.

On motion, the House adjourned to 10 o'clock, A. M., to-morrow.

TUESDAY, January 27, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

The following members were absent at the call of the roll: Messrs. Garvin, Garrett, Tebbs, Waterson and White.

By Leave—Mr. S. G. Brown.

Message from the Council by Mr. Hughes, Chief Clerk:

I am instructed to inform the House that Council bills of the following titles have passed the Council:

An act to punish horse stealing.

An act to incorporate the Lecompton Improvement Association.

An act to authorize Mary Elizabeth Spratt to sue for a divorce.

Also House bill, entitled

An act to incorporate the city of Roseport.

And that bills have been introduced into the Council of the following titles:

A bill regulating suits.

A bill supplemental to an act to regulate proceedings upon writs of mandamus.

A bill relating to associations.

A bill to incorporate the Planters' Hotel Company.

A bill to incorporate the Ogden Town Company.

A bill to incorporate a ferry at Ogden, in Kansas Territory.

A bill to incorporate the Ogden Manufacturing Company.

A bill to incorporate the Wakarusa City Association.

And that the President of the Council has signed House bill to incorporate the National Hotel Company.

The proceedings of Monday were read and approved.

Mr. Butcher introduced a petition from sundry citizens of Douglas county, praying for repeal of act locating the county seat of Douglas county permanently, which was read and referred to Committee on Bounds of Counties and Districts.

By leave, Mr. Carr introduced the following resolution, which was adopted:

Resolved, That leave of absence be granted to the Sergeant-at-Arms of this House, and that John S. Hamilton be substituted in his office until his return, and be allowed the pay that would otherwise accrue to said officer.

Reports of Standing Committees.

The Committee on Corporations, to whom was referred House bill No. 11, entitled "A bill to incorporate the Town Company of the town of Pierce," have had the same under consideration, and beg leave to report the following amendments:

Strike out all the enacting clauses in all except the first section, and add at the end of section 5th, the words, "It is the intention of this act to grant no right or privilege inconsistent with or contrary to the laws of Congress in such cases made and provided;" and, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

The rules were suspended, the amendments read a second time, ordered to be engrossed, and read a third time to-morrow.

The Committee on Roads and Highways, to whom was referred House bill No. 54, entitled "An act to establish a Territorial road from Atchison to Vermillion city, K. T.," beg leave to report the same back, and recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

The rules were suspended, the bill considered engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill No. 36, entitled "An act to incorporate the Vermillion City Company," have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended and bill considered engrossed, read a third time, and passed.

The Committee on Corporations, to whom was referred House bill No. 28, entitled "A bill to incorporate the Town of Mount Pleasant," have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended, the bill considered engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill No. 49, entitled "An act to incorporate the Manhattan Town Association," have had the same under consideration, and beg leave to report the following amendment:

Sec. 5. It is the intention of this act to grant no right or privilege inconsistent with or contrary to the laws of Congress in such cases made and provided.

To be added after 4th section, and, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended, the amendment read a second time; the bill, as amended, ordered to be engrossed, and read a third time to-morrow.

By leave, Mr. Walker introduced a bill to incorporate a ferry across the Missouri river, at Quindaro. Read a first time.

The Committee on Enrolled and Engrossed Bills have examined the following bills:

An act to establish a Territorial road from the city of Lecompton, via St. Bernard, to Shannon, the county seat of Anderson county, and thence to Cofachique; and

An act to incorporate the Manhattan Institute; and report the same as truly engrossed.

J. C. THOMPSON, Chairman.

Agreed to.

The Committee on Enrolled and Engrossed Bills have examined the following bills:

An act to establish a Territorial road from Wyandott city via Secondine to Lecompton.

An act to establish a Territorial road from Atchison, via Mount Pleasant, to some point on the Kansas river opposite Lecompton.

An act to establish a ferry at the mouth of Big Sugar creek, on the Marais des Cygnes, in the Territory of Kansas; and report the same as truly enrolled.

J. C. THOMPSON, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred House bill No. 9, "to incorporate the Town of Shannon, have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended, bill considered engrossed, read a third time and passed.

By leave, Mr. Kuykendall introduced a bill to incorporate the Bank of Lecompton. Read a first time.

The Committee on Militia, to whom was referred that portion of the Governor's message which relates to the organization of the militia of the Territory, beg leave to make a report, in part, of the result of their deliberations.

Your committee deem it their imperative duty to briefly refer to the action of the militia during the late disturbance in this Territory, and can but express a profound regret that the motives and acts of the citizen soldiery of Kansas, who rushed to the standard of their country when the laws of the land were being trampled under foot by a horde of northern fanatics and invaders, were not presented in their true light by the executive message.

The affairs of Kansas, and particularly those in which the militia were concerned, have attracted much observation and comment, and their conduct has, for the base purpose of party success, been grossly misrepresented. These misrepresentations have been made throughout an entire section of the United States, and it was reasonable to suppose that the truth would have gone to the world through the medium of the message.

To the executive, who is by law their commander-in-chief, the militia had a right to look, not for favor, but even-handed justice, and we can but express deep regret that the Governor has left this undone.

Your committee will not enter into a detailed statement touching the conduct of the militia in any instance; not that we fear a full exposure of the entire subject, but from the fact that it would swell this report to too great length; yet we will say, without fear of contradiction, that the militia of Kansas have never taken up arms except at the call of the proper constituted authorities, and that they never remained in the field after being directed to retire therefrom.

Your committee are satisfied that the militia remained under arms only so long as the invaders of their country were in the field, and the dictates of patriotism required them to raise their arms.

These things being unquestionably true, it was but right and proper to expect that, in commenting upon our disturbances, the Governor would have drawn a broad line of distinction between the conduct of the militia and those whose aim it was to subvert the laws of the Territory. But this he did not do.

In reference to the manner of selecting officers of the militia, your committee are of opinion, that the statute should be so amended as to make all officers elected by the people.

In making this suggestion, we are simply adhering to a cardinal principle of all popular governments; and, in addition to this, we are strengthened in our opinion by what we conceive to have been an unwarrantable assumption of the appointing power by the Governor, in appointing certain persons to responsible commands who were at the time in open rebellion against the laws of the country.

In reference to that portion of the message which advises the repeal of the 26th section of chapter 110, entitled "Militia," your committee can not agree with the Governor that it "affects his prerogative as commander-in-chief, and clearly conflicts with the organic act." By reference to the statutes, it will be perceived that the duty of the commissioned officer to "order out the militia corps" is only in the event of an hostile invasion or imminent danger; and that it is entirely of a local and temporary nature for the defence of the Territory, until (which he is required to do immediately) he informs the "commander-in-chief," in whose hands the matter is left.

Your committee will not therefore recommend the repeal of the provision so highly conservative and necessary to the safety of a portion of the counties distant from the seat of government. This wholesome provision they must ever hold to be a safeguard against the recurrence of unlawful invasions, which the past has shown there is but too much reason to apprehend.

Your committee beg leave to offer a bill, which they hope may meet the approval of this Legislative Assembly.

All of which is respectfully submitted.

J. W. MARTIN, Chairman.

The report was ordered to be printed and made the order of the day for Monday, February 2d.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 4, entitled "An act declaring certain banking associations unlawful," have had the same under consideration, and beg leave to report the same to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The rules were suspended, the bill considered engrossed, read a third time and passed by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Vaughan, Walker and Young—28.

Nays—None.

Absent—Messrs. Thompson, Tebbs, Waterson and White.

By suspension of rules, Mr. Dolman introduced a bill to incorporate the Missouri River and Nemaha Valley Railroad Company. Read a first time, rules were suspended, bill was read a second time and referred to Committee on Internal Improvements.

The Committee on Corporations, to whom was referred Council bill No. 6, entitled "An act to incorporate the town of Bloomington," have had the same under consideration, and recommend the following additional section as amendment: "Sec. 5. It is the intention of this act to grant no right or privilege inconsistent with or contrary to the laws of Congress in such cases made and provided;" to be added after section fourth, and, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended, the amendment read a second time, and bill ordered to be engrossed, and read a third time to-morrow.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 9, entitled "An act to amend an act entitled 'An act for the recovery of debts by attachment,'" have had the same under consideration, and beg leave to report the same to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The rules were suspended, the bill read a third time and passed.

Mr. Matthias (Mr. O'Driscoll in the chair), by suspension of rules, introduced a bill to incorporate the Leavenworth Town Association. Read a first time.

The rules were suspended, and bill read a second time by its title.

The rules were suspended, and bill read a third by its title and passed.

Mr. Walker, by suspension of rules, introduced a bill to establish a road from Wyandott city, via Parkville, to Atchison. Read a first time.

On suspension of rules, the bill was read a second time by its title, and referred to Committee on Roads and Highways.

Mr. Walker, by suspension of rules, introduced a bill to incorporate the Tauroru Town Company. Read a first time, and, on suspension of rules, was read a second time, and referred to Committee on Corporations.

Mr. Stout gave notice of the introduction of the following bills:

A bill to charter a bank at Iowa Point.

A bill amendatory and supplemental to an act to license and tax merchants.

Mr. Carr, in pursuance of notice, introduced a bill to incorporate the city of Atchison, accompanied by a petition. Read a first time.

On suspension of rules, the bill was read a second time by its title, and, together with petition, referred to Committee on Corporations.

On motion of Mr. Simmons, the rules were suspended, and Council bill "to authorize Mary Elizabeth Spratt to sue for a divorce," was read a first time. The rules were suspended, the bill read a second time, and, on motion of Mr. Anderson, referred to Committee on Judiciary and Criminal Jurisprudence.

A motion was made to adjourn. Lost.

In pursuance of notice, Mr. Vaughan introduced a bill to incorporate the Mine Hill Railroad and Mining Company. Read a first time.

Message from the Council:

That they had passed House bill "to incorporate the Leavenworth Town Association."

On motion of Mr. Anderson, the rules were suspended, and Council bill, "An act to define the Judicial Districts of the Territory of Kansas," was taken up and read a first time.

The rules were suspended, the bill read a second time, and Mr. Brantly offered the following amendment:

Sec. 4. And be it further enacted, that all process and proceedings heretofore issued or commenced, and all bonds and recognizances entered into, and all cases continued, shall be deemed and taken to be made returnable, and continued to the several terms and places hereafter to be selected by the Judges of the Supreme Court, or a majority of them, under the act of Congress; and it is hereby made the duty of the Clerks of the several District Courts, should the changes made in the several Districts by this act render the same necessary, "to deliver, or cause to be delivered, all papers, proceedings and records to the clerks or officers of said Courts having the legal custody of the same."

By suspension of rules the amendment was read a second time, and the bill as amended was referred to the Committee on Judiciary and Criminal Jurisprudence.

The House adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Walker in the chair. On motion of Mr. Anderson, a call of the House was made, and the Sergeant-at-Arms was ordered to bring in absent members—

Messrs. Garrett, Johnson, McKinney, Tebbs and Vaughan, and the Chief Clerk, R. C. Bishop.

The House then, on motion of Mr. Waterson, resolved itself into Committee of the Whole, having under consideration the report of the Committee on Federal Relations, Mr. Fox in the chair.

After some time spent in Committee, it rose, and through its Chairman made the following report:

The Committee of the Whole House have had under consideration the report of Committee on Federal Relations, report progress, and ask leave to sit again on to-morrow morning.

JAMES P. FOX, Chairman.

On motion of Mr. Brantly, the printing of certain bills incorporating towns and cities was dispensed with.

The House then adjourned.

WEDNESDAY, January 28, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent:

Messrs. Garrett and White.

The proceedings of yesterday were read and approved.

The Committee on Enrolled and Engrossed Bills have examined the following bills: "An act to incorporate the city of Roseport," and "An act to incorporate the Leavenworth Town Association," and report the same as truly enrolled.

J. C. THOMPSON, Chairman.

Petitions, &c.

Mr. Butcher introduced a petition from sundry citizens of Douglas county, for change of county seat. Read and referred to Committee on Bounds of Counties and Districts.

Reports of Standing Committees.

The Committee on Corporations, to whom was referred House bill No.—, "Missouri River and Rocky Mountain Railroad charter," have had the same under advisement, and beg leave respectfully to report the same back to the House with the following amendment:

In section 1st, insert the name of W. B. Almond, so as to make him one of the corporators, and, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules were suspended, and amendment read a second time.

Mr. Simmons moved to suspend the rules, to read the bill as amended a third time. Lost.

The bill was ordered to be engrossed, and read a third time to-morrow.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 52, entitled "An act to authorize Mary Elizabeth Spratt to sue for a divorce," have had the same under consideration, and beg leave to make the following report:

Your Committee are opposed to a general system of special legislation, but believe, from a thorough knowledge of the facts, that the ends of justice would be furthered by the passage of this bill; therefore, they report the same to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The rules were suspended, and bill read a third time and passed by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Tebbs, Vaughan, Waterson and Young—28.

Nays—Messrs. Jenkins and Walker—2.

Absent—Messrs. Garrett, Thompson and White.

The Committee on Agriculture, to whom was referred House bill No. 35, entitled "An act to incorporate the Kansas Stock Company," have had the same under consideration, and recommend its rejection.

T. W. WATERSON, Chairman.

Agreed to.

Reports from Special Committees.

COMMITTEE ON BANKS.

Your Committee, appointed under resolution, to consider and report upon the expediency of the adoption by the Legislature of some Banking system, respectfully submit, that, impressed with the importance of the matter referred to their consideration, they have given it much reflection. While the absolute monetary wants of the people of the Territory have heretofore been supplied by the meagre circulation of silver and gold, and that these, in a general way, may constitute a safe medium, and perhaps, to a greater extent than paper circulation, forbid frauds upon currency and wrongs upon money holders; yet the wisdom of commercialists and financialists, and the legislation of the States and Governments generally, teach us that silver and gold should not be considered as the only true and safe representatives of property, or the only reliable circulating mediums. They teach us that commerce and trade, between nations and States, demand greater facilities, in passing the consideration for the purchase and sale of property, than are afforded by the exclusive use of specie; and to meet this demand, resort has been had, time out of mind, to paper circulation, founded upon or involving some system of banking.

That commerce and trade have prospered and been profited by it—and the Government, States and people benefited who have resorted to it—is demonstrated by the fact, that in no instance within the knowledge of your committee has it been entirely abandoned where its utility has been fairly and perfectly tested. The cry, that the door to fraud and corruption is opened by it, is attributable more to defectiveness of legislation, in an individual case, than a general hurtful tendency of banking. Mature deliberation and wise legislation can enact a banking law, with provisions so circumscribing the operations of the chartered company as to preclude the possibility of injury to, or fraud upon, the community or bill holders. If no harm can result therefrom, good must flow in some direction; and if a bill be presented to the House applying for such a charter, your committee would earnestly urge its passage.

We conceive that the condition of the affairs in the Territory now require it; and the great change which, it is apparent to all, must take place in a few months, in her commercial and financial relations with the States and the world, renders it indispensable. Banking institutions of the States have foreseen the necessity which exists here for paper currency, and have availed themselves of the advantages afforded by it. The people of the Territory have felt the necessity; and we therefore find in their hands bank notes from the different States of the Union—some issued at points many hundred miles distant. From these, the innocent and unsuspecting are much more liable to injury and loss, than from the issues of a bank created by the Legislature of the Territory. In the one case, it is presumable that in all instances we can be informed of the character of the safeguards and restrictions thrown around the corporations and officers by their charter, under which the issues are made. In the other, we see and know the basis of operation by the chartered company; their acts and proceedings are open to our inspection; when their bills are presented as money or consideration, for the purchase of property, they are taken with a full knowledge of their true value.

W. H. TEBBS, Chairman.

Mr. Fox presented the following minority report:

The undersigned, a minority of the committee to whom was referred the subject of Banking, respectfully ask leave to submit to your consideration the following minority report:

Having given the subject mature deliberation, we are of opinion that the only contingency under which it would be expedient to grant to any citizens of our Territory the exclusive privilege of Banking Companies, does not at this time exist in our infant Territory. No man who has paid strict attention to the trade of his community or county, can affirm that gold and silver has been comparatively so scarce as a circulating medium. Nor can he, with truth, assert that the standard metals have been driven from circulation by the introduction of a foreign paper currency, totally adverse to the interests of the people.

Nor is it likely that such a contingency will arise for the next five years, as will require local Banks to supply us with a currency. The staple products of our farmers, which will be offered for sale for several years to come, must be necessarily horses, mules and cattle; they not being able at present to raise grain enough for their own consumption, the legitimate market for this surplus stock will be the Government forts within this Territory, and more especially that of Fort Leavenworth. At those markets, gold and silver alone are paid; and thus keep up a currrency equal to the quantity of our surplus trade, and in quality far superior to any other medium, at least for the farming interest. But it may be said that the commercial interests of our country require banks; this might be so if the only means of keeping up a sufficient quantity of circulating medium was to be effected alone by the surplus products of our farmers and mechanics; but we have within our midst large communities, or tribes of Indians, who are not producers, but almost exclusively consumers; and it must not be forgotten that they are, withal, wealthy; they receive annually in government currency, from the Government, large annuities; this money flows directly from the hands of the Indians into the drawers of the merchants, and thus supplies what banks have to do in the older States; and it must be remembered, too, that money is not collected from the farmers and mechanics of our Territory, but directly from the coffers of the Treasury at Washington; and all of this money which does not fall into the hands of our merchants, must necessarily fall into the hands of our other citizens, and thus increase annually the amount of our circulating medium upon a firm basis. We would therefore suggest to your honorable body, that any attempt to create a paper currency at this time would be inexpedient.

All of which is respectfully submitted.

JAMES P. FOX.

Mr. Jenkins offered the following resolution:

Resolved, That the majority and minority reports of Committee on Banks be printed, and taken up as the special order next Wednesday; that the bank bills referred to the Standing Committees be reported to this House by that time for action.

Adopted.

On suspension of rules, Mr. Walker introduced the following resolution:

Resolved, That the Sergeant-at-Arms be hereby authorized and required to prevent smoking in this hall while the House is in session.

Adopted.

Message from the Council by Mr. Grover, Clerk:

I am instructed to inform the House that bills have passed the Council of the following titles:

A bill to declare a military road a public highway and Territorial road.

A bill to incorporate the Prairie City Coal and Mining Company.

An act supplemental to an act to regulate proceedings upon writs of mandamus.

An act in relation to associations.

That the following bills have been introduced into the Council:

A bill respecting challenge of jurors.

A bill respecting recognizances.

A bill to regulate suits in certain cases.

A bill to authorize the City of Leavenworth to borrow money.

A bill to amend an act to regulate justices' courts.

A bill to incorporate the Sibitha Town Company.

A bill to incorporate the Geneva Town Company.

A bill to amend an act to regulate the limitations of acts.

A bill to declare the military road from Fort Leavenworth to Fort Laramie a Territorial road.

And that the President of the Council has signed enrolled House bills of the following titles:

An act to establish a ferry at the mouth of Big Sugar creek, on the Marais des Cygnes, in the Territory of Kansas.

An act to establish a Territorial road from Wyandott, via Secondine, to Lecompton.

An act to establish a Territorial road from Atchison, via Mount Pleasant, to some point on the Kansas river opposite Lecompton.

And that the President of the Council has signed enrolled Council bill, entitled

An act declaring certain banking associations unlawful.

And that Council have reconsidered their vote upon the "Act to authorize judges to admit to bail in certain cases;" and have passed the same notwithstanding the veto of the Governor, and they transmit the Governor's objections for the consideration of the House.

On motion of Mr. Anderson, the act, with the Governor's message, was taken up.

A message from His Excellency, the Governor, was here announced through his Private Secretary.

The message of the Governor vetoing Council bill was read.

Gentlemen of the Council and House of Representatives
of Kansas Territory:

The bill to authorize courts and judges to admit to bail in certain cases, has been carefully examined, and, notwithstanding my earnest desire to agree with the Legislature in regard to all matters of public policy, I am compelled to return it without my approval, for the following reasons:

The doctrine that the more certain the punishment of crime is made, the greater will be the restraints upon the evil passions of wicked men, has been established in all civilized communities, and approved by the wisdom and experience of every age of the world; and had we no other evidence of its truth, more than sufficient has been furnished in the disturbances and outrages which have so recently occurred in the Territory of Kansas; for no one can be insensible of the fact, [that the encouragement] which has here been given to crime has been the primary cause of most of the offences that have been committed. Had but a few of the early agitators and defiants of law been brought to condign punishment, the subsequent events which every good citizen must most heartily deplore and condemn, would never have occurred.

It is of the utmost importance to the safety of society that the laws should be rendered as stringent and their execution as certain as possible, especially as regards the crime of wilful and deliberate murder. Such an offence should be guarded against with the utmost care. No door whatever should be opened for the escape of the criminal. Once in the hands of the proper authorities, he should there be secured until the ends of justice are effected. The man whose life has been forfeited to the law will stop at no means within the range of human possibility to accomplish his escape; for what will a man not "give in exchange for his life?"

The act under consideration makes it comparatively easy for the most notorious criminal to escape the punishment his crimes have merited. Any judge of a district court is allowed thereby to set him at liberty upon bail. The bill does not even establish the amount of bail required. This, as well as the propriety of bailing the person accused of murder, is left entirely at the discretion of the court or of the district judge. Were the bill passed for the express purpose of tampering with and corrupting the judiciary, it could not have been more effectual. All human beings are fallible, and it is a sound principle to throw as few temptations as possible in their way to err. No judge who has a proper regard for his own reputation can desire the passage of a law, the execution of which will render him liable to invidious imputations. If this bill becomes a law, appeals will be made to the district judges to bail every person charged with the crime of murder, and the strongest possible inducements will be offered to influence his action. Should he refuse to accede to the wishes of the individual accused, or his importunate friends, he will subject himself to the charge of being actuated by unjust motives; while, on the other hand, should he yield to such importunities, he renders himself liable to the accusation of being biassed by peculiar circumstances, if not of bribery and corruption; and violence to himself might ensue in either case. The judge himself, therefore, would prefer to avoid the additional responsibility which this bill imposes.

But, apart from this, one tendency of the act is to corrupt the judiciary. It will not do to affirm that this is impossible. It has frequently been accomplished to so lamentable an extent as not only to endanger the safety of communities, but incite to anarchy, with all its fearful consequences. The intentions of the laws have been so entirely disregarded, that the people, in self-defence, have repudiated the courts, and, in opposition to all legislative enactments, have taken upon themselves the execution of justice. Indeed, in every instance where "Lynch law" has been resorted to, the excuse given by the people has been founded upon the laxity of the courts, or the insufficiency or corruption of the judiciary.

The want of confidence in the authorities regularly constituted for the administration of justice upon persons charged with the heinous crime of murder, (for which abundant cause was given,) produced those most terrible excitements in California consequent upon the organization of the memorable "Vigilance Committee."

It is to be hoped that a similar condition of things may never transpire in Kansas, though it may well be anticipated if murder is permitted by the courts to be perpetrated with impunity. The murmurings on this subject are even now loud and almost universal. Some of our best citizens have been stricken down by the hand of the assassin, whose blood has cried in vain upon the legal tribunals for justice. And, although many have fallen victims to this atrocious crime, not one of its numerous perpetrators has yet suffered the just penalty of the law. The murderer, his hands still reeking with human gore, walks unmolested in our midst, laughing to scorn the laws which condemn him to ignominious death.

Let the law contemplated in the bill under consideration be adopted, this evil, which is already sufficiently deplorable, will be rendered far worse. The slight restraints now held upon the vicious, will be almost entirely removed. No good citizen can venture in the streets or upon the highways with a proper feeling of security. The personal safety of all who are well-disposed will be constantly endangered. The odious practice of bearing concealed weapons for self-defence will become general, and the most disastrous results will follow. Every man, conscious of the uncertainty of punishment by the courts, will take the law in his own hands, and the slayer of one individual will immediately fall a victim to the retaliatory vengeance of another. Or should he be brought before a judge or court and liberated upon bail, an offended people will arise in their majesty, and prevent his escape by the infliction of summary punishment.

The fact that bail has been given will have no tendency to prevent these calamitous results; for no one can have the slightest confidence in the security furnished by such bail as a deliberate murderer can obtain. The person who will step in between such an one and the execution of justice, must himself be destitute of those feelings and sentiments which render him worthy of the confidence of good and peace-loving citizens. Or even were it otherwise, and the murderer is substantially bailed by a wealthy relation or friend, the only object in the whole transaction is the criminal's escape; for any amount of property, under such circumstances, will be forfeited to save his life. But in the majority of cases the bail is entirely worthless, and its being admitted by a court or judge, is equivalent to the murderer's discharge; for no one who is conscious of a conviction that will condemn him to death, will ever present himself for trial. If he has wealth, he can purchase sureties; and if he has not, he may obtain the aid of those who are worthless;

or if possessed of the property to which they swear, may dispose of it at pleasure, and thus defraud the Territory as well as justice. Bail bonds, as now given, are of but little value, even in trivial cases; for when forfeited, the amount is seldom collected. To make them of any avail, a lien should immediately be created upon the lands of the persons acknowledging them, "and the execution issued by virtue of a judgment thereon" may rightly command the taking and sale of the land that was seized at the time the recognizance was acknowledged. Were this rule of law adopted, there would be some value in a bail bond, and fewer persons would be found willing to execute it. But as the law now rests in this Territory, a criminal may be bailed to-day upon what is apparently tangible security, and to-morrow both himself and sureties dispose of all their property, and unmolested and quietly depart to another region, and thus the matter ends. In the majority of instances, therefore, the taking of bail, in criminal cases, only tends to defeat the ends of justice; and in every case of absolute premeditated murder, or murder in the first degree, where the proof is clear, or sufficient to convict, is tantamount to the acquittal of the criminal.

The fact that we have no sufficient prisons for the safe-keeping of the murderer, affords no argument for the passage of the bill. This want can soon be supplied. And it will be better far to commence that work at once than to adopt a law which must necessarily remove the almost only restraint that now exists upon murderous inclinations and passions. There is no necessity for deliberate murderers to be set free, on bail or otherwise, for want of a prison to keep them in lengthy confinement. Frequent sessions of the courts, early trials, and speedy executions, will dispose of such cases, and give to the people confidence in the judiciary and the laws, and a sense of security of which they have been so long deprived.

Remove or weaken any one of the safeguards we now possess against criminals and crimes, and the peace we enjoy must necessarily be shaken. Hence it becomes a subject of the utmost importance not only to guard against such a result, but to adopt, if possible, laws which strengthen the general confidence, by making the barriers to the escape of the criminal even more firm and impassable. Let it be established and universally known, that, "though hand join in hand, the guilty shall not go unpunished;" that the blood-stained murderer, once in the power of the authorities, shall have no possibility or hope of escape; that he who wilfully and deliberately sheds the blood of his fellow-man shall surely suffer the penalty by which he is forfeited; and our laws will be more respected, fewer crimes will be committed, and the community will repose in far greater security and peace.

JOHN W. GEARY,
Governor of K. T.

On motion of Mr. Anderson, the report of the Council Judiciary Committee was read.

The act was read for information, and the House, in reconsidering its vote, passed the act, the Governor's veto to the contrary, by the following vote:

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Carr, Davis, Fox, Fain, Garvin, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Randall, Stout, Spratt, Simmons, Tebbs, Vaughan, Waterson and Young—28.

Nay—Mr. Reese.

Absent—Messrs. Brantly, Thompson, Walker and White.

The message of the Governor was read.

To the House of Representatives of Kansas Territory:

Gentlemen—I have the honor herewith to return "An act to incorporate the National Hotel Company," with my approval.

JOHN W. GEARY,
Governor of K. T.

Reports of Committees.

The Committee on Corporations, to whom was referred House bill, entitled "An act to incorporate the Shannon Hotel Company," have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage without amendment.

B. F. SIMMONS, Ch'n.

Agreed to.

The bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 39, entitled "A bill to incorporate the Town Company of Eureka," would beg leave to report the same back without amendment, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The bill was read a third time and passed.

By unanimous consent, Mr. Brantly was allowed to record his vote "aye" on the bill which was passed over the Governor's veto.

On motion of Mr. Tebbs, the rules were suspended, and House bill to authorize W. F. & G. M. Dyer to establish a bridge across Grasshopper creek, at the crossing of the military road at the town of Osawka, was read a second time by its title, and referred to Committee on Roads and Highways.

By suspension of rules, the following bills were read a second time by their titles, and referred to Committee on Banks:

A bill to incorporate the Lecompton Bank.

A bill to incorporate the Bank of the Capital.

Mr. Kirk moved that the House resolve itself into Committee of the Whole. Lost.

On motion of Mr. Anderson, the report of the Committee on Federal Relations was taken up.

Mr. O'Driscoll offered the following amendments: Strike out fourth paragraph and insert the following: "We can [not] but review the past history of Kansas with sadness and regret. Her green hills have been polluted by the emissaries of arch-traitors, the Beechers and their kindred, fanning the flames of discord among peaceful friends and neighbors; sowing broadcast throughout the land the seeds of treason; thus rendering Kansas a theatre of contention and strife, until fratricidal blood cries to heaven for vengeance. Our land has been overrun by predatory bands of fanatical adventurers; regardless of law, reason, and the dictates of mercy, laying waste fields ripe unto the harvest—applying the torch to the squatter's humble cabin—driving his family out upon the broad prairie, poor, houseless, friendless, and alone in agony to die—or to bear, with all its hardships, the rough climate of a new country. Aye, the influence of woman, gentle and kind—her prayers said "through a multitude of tears"—her earnest and sympathizing tones of entreaty—have been disregarded, and, with a barbarity hardly surpassed by the most uncivilized savage, she has been subjected to insults of the most heinous nature. They came like the wolf upon the fold, and the first warning we had was the wail of our distressed brethren as it died over the prairie; the hand of the midnight assassin was red with the warm heart's blood of the people. Thus were the lands outraged, our homes made desolate—for treason was rife in the land.

"Under the existence of this state of affairs, our citizens were called to arms by the Executive of this Territory, to maintain our rights and vindicate the majesty of the outraged laws. What were we to do? Flee the unnatural strife, and leave our friends to the merciless fury of prowling conspirators? With us there was no alternative. The laws must be maintained at every and all hazards, or liberty was no more; to yield was to invite aggression, and a despotism more dark and damning than that which settled around the rulers of France in the days of Robespierre and Murat.

"Our acts were in accordance with the call of our Executive, the mandates of the law, and in obedience to the requirements of legally appointed officers. Nay, more, they were dictated by reason and deliberated in council, and we congratulate our party that no one act of ours can cast an unmanly or dishonorable reflection upon the name of a Kansan, for these have been the acts of those," &c.

Strike out all after the word "strife," in fifth paragraph, and insert, "and rendering implicit obedience to his official requirements."

In the last paragraph, strike out first sentence, and insert, "In conclusion, your committee can but regret that sectional differences should have ever arisen to mar the harmony of our hitherto happy country, and would hope the excesses said to have been committed by irresponsible persons, *claiming to be law and order*, may undergo a thorough and searching investigation by all means, and, if guilty, punished in the severest manner known to the law."

Mr. Anderson moved as a substitute to Mr. O'Driscoll's amendments that the word "parties," in last paragraph, be stricken out, and "persons" substituted, which prevailed.

Mr. O'Driscoll moved to reconsider the vote. Lost by

NAYS—Messrs. Speaker, Anderson, Butcher, Bernard, Carr, Dolman, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Simmons, Tebbs, Vaughan, Walker and Young—22.

AYES—Messrs. O. H. Browne, Brantly, Davis, Fox, O'Driscoll, Spratt and Waterson—7.

ABSENT—Messrs. Garrett, Thompson and White.

Message from the Council, by Mr. Easton, a member:

I am instructed to inform the House that the President of the Council has signed enrolled House bills of the following titles:

An act to incorporate the Leavenworth Town Association.

A bill to incorporate the city of Roseport.

The question then being on the adoption of the report, it was rejected by

NAYS—Messrs. Speaker, O. H. Browne, Bernard, Brantly, Carr, Davis, Fox, Jenkins, Johnson, Kirk, Martin, O'Driscoll, Spratt, Simmons, Tebbs and Young—16.

AYES—Messrs. Anderson, Butcher, Dolman, Fain, Garvin, Kuykendall, Laws, McKinney, Reese, Randall, Stout, Vaughan, Waterson and Walker—14.

ABSENT—Messrs. Garrett, Thompson, and White.

The Committee on Roads and Highways, to whom was referred House bill entitled "An act amendatory of and supplemental to an act entitled 'An act to provide for the location of Territorial roads in the Territory of Kansas,'" ask leave to make the following report:

Your committee is of the opinion that the first, second and third sections of said bill are virtually a prohibition to all roads. Said sections give to one county court, through whose county any Territorial road is proposed to pass, the power to destroy the same at pleasure, although the road might be of great use to other counties in the Territory.

The third section gives to one county the power to force a road through another county, but compels the county thus forcing said road to locate the same at their own expense, and also compels one county to keep in repair roads in other counties for all time to come.

Your committee is of the opinion that a law now exists which supersedes the necessity of the 5th section entirely.

The 6th section compels road commissioners to perform the duties of surveyors, chain carriers, &c., agreeably to the general law governing the location of roads in the Territory of Kansas. This duty imposed on commissioners your committee thinks impracticable.

Your committee, therefore, report the same back and recommend its rejection.

J. KUYKENDALL, Ch'n.

On motion, the report was agreed to.

The House adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

On motion, the report of Committee on Judiciary upon the bill to repeal the 12th section of chapter 151, "to punish offences against slave property," was taken up.

Message from the Council by Mr. Grover, Clerk:

That the President of the Council had signed House bill of the following title:

An act to locate the county seat of Linn county permanently.

And Council bills of the following titles:

An act to authorize Mary Elizabeth Spratt to sue for a divorce.

An act to incorporate the Iowa Point Town Company.

Message from His Excellency, Governor Geary, by his Private Secretary:

To the Gentlemen of the House of Representatives
of the Territory of Kansas:

I have the honor to return to you, with my approval, the following bills, originating in your body, and handed to me this morning by Gen. Easton, of the Council, viz:

An act to incorporate the Leavenworth Town Association.

An act to establish and charter a ferry at the mouth of Big Sugar creek, on the Marais des Cygnes, in the Territory of Kansas.

An act to incorporate the city of Roseport.

An act to establish a Territorial road from Wyandott, via Secondine, to Lecompton.

An act to establish a Territorial road from Atchison, via Mount Pleasant, to some point on the Kansas river opposite Lecompton.

JNO. W. GEARY,
Governor of K. T.

Lecompton, K. T., January 28th, 1857.

Message from the Council by Mr. Hughes, Clerk:

I am instructed to inform the House that the Council has passed the following resolution:

Resolved, That the House of Representatives be respectfully requested to send up to the Council all the records, papers, and other written evidence before that House in the consideration of House bill, entitled "An act to declare valid the official acts of W. T. Sherrard, and to make valid his appointment to the office of Sheriff of Douglas county."

The question being on the third reading of bill to repeal the 12th section of chapter 151, the bill was read a third time and passed by

Ayes—Messrs. Speaker, O. H. Browne, Butcher, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Vaughan, Waterson and Young—27.

Nay—Mr. Tebbs.

Absent—Messrs. Bernard, Garrett, Walker and White.

Mr. Carr gave notice of the introduction of bills of the following titles:

A bill to incorporate the Perry Town Company.

A bill to incorporate the Bank of Atchison.

The House then adjourned.

THURSDAY, January 29, 1857.

The House met pursuant to adjournment.

The roll was called and the following members were absent: Messrs. Carr and White.

The reading of the Journal was dispensed with.

Mr. Butcher presented a petition from sundry citizens of Douglas county for change of county seat. Referred to Committee on Bounds of Counties and Districts.

Mr. O'Driscoll presented a petition from sundry citizens of Woodson county. Referred to Committee on Bounds of Counties and Districts.

Mr. Johnson presented a petition from T. K. Shepherdson for his relief. Referred to Committee on Finance.

Reports of Standing Committees.

The Committee on Corporations, to whom was referred House bill No. 27, entitled "A bill for the incorporation of Town Company of Newcastle," have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The Committee on Internal Improvements, to whom was referred House bill "to incorporate the Missouri River and Nemaha Valley Railroad Company," report the same back with the following amendments, and recommend its passage:

After the words "real estate," in first section, insert "for the purpose of said railroad." In section 2d, after the words "Norman Cutter or," insert "Fielding Burns," and "a majority of" in place of "nine." In section 12, after the words "guilty of," insert "an offence" in place of "criminal offence."

W. H. JENKINS, Chairman.

Agreed to.

The rules were suspended, the amendments read a second time, and the bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on Engrossed and Enrolled Bills have examined "An act to incorporate the Missouri River and Rocky Mountain Railroad Company," and report the same as truly engrossed.

J. C. THOMPSON, Chairman.

The Joint Committee, to whom was referred "An act providing for the speedy taking of the census of the several counties in Kansas Territory," have duly considered the same, and respectfully submit that they are deeply impressed with the evils resulting from the disturbed condition of society in Kansas Territory, and deprecate its continuance, as they believe all good citizens do; and believing that the adoption of a constitution for State organization, secured and founded upon principles and by means at once fair, just and equally guaranteeing to every citizen the right of expressing at the ballot-box his preference in regard to the peculiar institutions or forms of government to be adopted, will conduce most speedily to restore quiet and confidence, and contribute most effectively to the prosperity and permanent happiness of the people—

They therefore report the following bill, and recommend its adoption as a substitute for the one submitted to them.

J. C. ANDERSON,
Chairman on part of House.

Mr. Simmons moved to take up bill to incorporate the Missouri River and Rocky Mountain Railroad Company. Carried.

Mr. Simmons offered the following amendment: Amend 2d section by inserting after the words "Missouri River," the words "between the town of Delaware city, in Leavenworth county, and the mouth of the Kansas river;" and add the name of John Calhoun to the list of corporators.

Mr. Thompson moved that the bill, as amended, be read a third time, and passed.

Mr. Anderson asked that the bill be laid over, so that he might offer an amendment.

The Committee on Corporations, to whom was referred House bill No. 50, "An act incorporating Manhattan city," have had the same under consideration, and beg leave respectfully to report the same back to the House with the following amendment:

Sec. 4. Provided that nothing in this act contained shall be so construed as by any means whatever to defeat, impair or infringe upon any of the rights, powers or privileges heretofore granted to the Manhattan Town Company by the act incorporating said company.

To be added after section 3d, and, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The amendment was read a second time, by suspension of rules, and the bill, as amended, ordered to be engrossed, and read a third time to-morrow.

Message from the Council by Mr. Grover, Clerk:

I am instructed to inform the House that Council bills have passed the Council of the following titles:

An act to incorporate the Geneva Town Company.

An act to authorize the City of Leavenworth to borrow money.

An act to regulate suits on certain instruments.

An act to incorporate a ferry at Ogden, K. T.

An act to incorporate the Wakarusa City Company.

An act to declare the military road from Fort Leavenworth to Fort Laramie a Territorial road.

Also House bills of the following titles have passed the Council:

An act to locate a Territorial road from Doniphan, via Iowa Point, to the Kansas and Nebraska line opposite Ray's ferry.

An act to incorporate Roseport Town Company.

An act to incorporate the town of Palmetto.

An act to establish a Territorial road and highway along the valley of the Big Blue river.

An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas.

An act to authorize Hugh Cameron to keep a ferry.

An act to establish a ferry on the Kansas river, at the crossing of the Territorial road running from Bernard's store to Leavenworth city.

An act to establish a Territorial road.

An act to locate a road from Council city to the town of Columbia, in the Territory of Kansas.

An act to establish a Territorial road from Lecompton to Barnsville, in Bourbon county, K. T.

An act to establish a Territorial road from St. Mary's Mission to Fort Riley.

An act to establish a Territorial road from Lecompton to Roseport, in Doniphan county, K. T.

An act to establish a Territorial road from Fail's store to Gofachique, in Allen county, K. T.

An act to incorporate the Kansas Locating Association.

Mr. Thompson moved to suspend the rules, and take up and read a second time House bill to amend "An act entitled an act to incorporate the city of Lecompton." Carried.

The bill was read a second time, and by suspension of rules, read a third time, being considered engrossed, and passed.

Mr. Carr moved to take up House bill No. 16, "A bill to provide for the removal of county seats." Carried. The bill was read a third time.

Mr. O. H. Browne moved to have the bill printed. Carried.

Mr. Waterson introduced a bill to amend "An act regulating executions." Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary, &c.

Mr. Walker introduced "A bill to incorporate the Missouri River and Pacific Railroad Company." Read a first time, and, on suspension of rules, was read a second time by its title, and referred to the Committee on Internal Improvements.

Mr. Johnson introduced a bill to incorporate the "Leavenworth Fire and Marine Insurance Company." Read a first time, and by suspension of rules was read a second time by its title, and referred to the Committee on Corporations.

Mr. Anderson then offered the following amendment by way of rider to Missouri River and Rocky Mountain Railroad charter:

Sec. 14. If any person should wilfully or maliciously hinder, delay, or obstruct the workmen, or the passage of trains, or shall place any obstruction on the track, or injure or destroy any tools, cars or other property on said railroad, or pertaining to it, or aid or abet any person in commission of such trespass, all such persons shall forfeit and pay said company, agents and servants, treble the damages proven before any court of competent jurisdiction, and shall be liable to indictment, and such punishment as may be provided by law.

The bill was then passed as amended.

By leave, Mr. Simmons introduced a bill entitled "An act to incorporate the Kansas Land and Loan Association." Read a first time, and, on suspension of rules, read a second time by its title, and referred to the Committee on Corporations.

Message from the Governor by his Private Secretary:

The Committee on Enrolled and Engrossed Bills have examined the bill entitled "An act to incorporate the town of Bloomington," and find it truly engrossed.
J. C. THOMPSON, Chairman.

The bill was read a third time and passed.

Mr. Walker gave notice of the introduction of a bill to "incorporate the town of Quindaro."

Mr. Anderson moved to take up House bill "to incorporate the Missouri and Kansas Railroad Company." Carried.

The bill, on suspension of rules, was read a second time by its title, and referred to Committee on Internal Improvements.

Mr. Vaughan moved to take up House bill "to incorporate the Mine Hill Railroad and Mining Company." Carried.

The bill was read a second time by its title, on suspension of rules, and referred to Committee on Internal Improvements.

The Governor's message was read.

Gentlemen of the House of Representatives of Kansas Territory:

I have the honor to return to you, approved, a bill entitled "An act to locate the county seat of Linn county permanently."

JNO. W. GEARY,
Governor of Kansas Territory.

The following bills were, by leave, introduced, and, on suspension of rules, read a first time by their titles:

By Mr. Butcher, a bill to incorporate the Willow Springs Town Company. By suspension of rules, it was read a second time by its title, and referred to Committee on Corporations.

By Mr. Butcher, a bill to incorporate the Willow Springs Manufactory and Mining Company. By suspension of rules, it was read a second time by its title, and referred to Committee on Corporations.

☞By Mr. Carr, a bill to incorporate the Bank of Atchison. By suspension of rules, it was read a second time by its title, and referred to Committee on Banks.

By Mr. Carr, a bill to incorporate the Perry Town Company. By suspension of rules, it was read a second time by its title, and referred to Committee on Corporations.

By Mr. Carr, a bill to incorporate the Atchison and Fort Riley Railroad Company. By suspension of rules, it was read a second time by its title, and referred to Committee on Internal Improvements.

By Mr. Carr, a bill to incorporate the Atchison and Lecompton Railroad Company. By suspension of rules, it was read a second time by its title, and referred to Committee on Internal Improvements.

The House then adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

By suspension of rules, Mr. Kirk introduced a bill to incorporate the Atchison and Vermillion City Railroad Company. Read a first time.

While the reading was going on,

Mr. Fox moved to suspend the further reading thereof. Lost by

Nays—Messrs. Speaker, Anderson, Butcher, Bernard, Brantly, Davis, Dolman, Garvin, Jenkins, O'Driscoll, Stout, Simmons, Tebbs, Vaughan, and Waterson—15.

Ayes—Messrs. Carr, Fox, Fain, Johnson, Kuykendall, Laws, Kirk, Martin, McKinney, Reese, Randall, Spratt, Walker and Young—14.

Absent—Messrs. O. H. Browne, Garrett, Thompson and White.

The bill was read a second time by its title, on suspension of rules, and referred to Committee on Internal Improvements.

Mr. Kuykendall, by leave, introduced a bill proposing to establish a bank in the Territory of Kansas. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to Committee on Banks.

Mr. Spratt, by leave, introduced a bill to regulate the practice of physicians. Read a first time, and, by suspension of rules, was read a second time, and referred to Committee on Education.

Second Reading of House Bills.

A bill to incorporate the city of Topeka, by suspension of rules, was read by its title, and referred to Committee on Corporations.

The printing of the bill was dispensed with.

A bill to establish a Territorial road. Read and referred to Committee on Roads and Highways.

Printing, on motion, dispensed with.

A bill to establish a ferry across Missouri river at Quindaro. Read and referred to Committee on Roads and Highways.

Third Reading of Bills.

A bill to incorporate the Newcastle Town Company. Passed.

A bill to legalize the acts of the Board of County Commissioners of Anderson county. Passed.

A bill for the relief of Collectors of the Revenue. Laid over.

A bill supplemental to an act to establish a Territorial road from some point opposite to St. Joseph, Mo., to the crossing of the Great Nemaha river. Passed.

A bill to incorporate the Leavenworth Lyceum. Rejected.

A bill repealing an act supplemental to an act to provide for the collection of the revenue. Passed.

A bill to charter a ferry at Calhoun, K. T. Passed.

A bill to amend an act entitled an act to provide for the pay of officers and others. Passed.

A bill to incorporate the city of Iowa Point. Passed.

A bill to incorporate the Manhattan Institute. Passed.

A bill establishing a Territorial road from the city of Lecompton, via St. Bernard, to Shannon, the county seat of Allen county, thence to Cofachique. Passed.

The bill to authorize the formation of railroad companies, and to regulate the same, was, on motion of Mr. Anderson, taken up, read a first time, and, by suspension of rules, was read a second time by its title, and referred to Committee on Internal Improvements.

The House then adjourned.

FRIDAY, January 30, 1857.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The following members were absent at the call of the roll:

Messrs. Butcher, Garrett, Johnson, McKinney, Reese, Walker and White.

Messrs. Laws and Bernard absent by leave.

The proceedings of the last two days were read and approved.

The Committee on Enrolled and Engrossed Bills have examined the following bills: "An act to incorporate the Town Company of the town of Pierce," and a bill "to incorporate the Manhattan Town Company," and report the same as truly engrossed.

J. C. THOMPSON, Chairman.

Reports of Standing Committees.

The Committee on Corporations, to whom was referred House bill entitle "a bill to be entitled an act to incorporate the city of Atchison," have had the same under consideration, and beg leave to report the same back to the House with the following amendment:

That in addition to the second section, after the word Atchison in said section, there be added this proviso, viz: "*Provided*, that nothing herein contained shall be so construed as to impair, infringe upon, or defeat, by any means whatsoever, any of the rights, privileges or powers heretofore granted to the Atchison Town Company, by the act incorporating said company."

And, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The amendment was, by suspension of rules, read a second time, and bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on Corporations, to whom was referred House bill No. 23, entitled "A bill for the charter of a Bank at Roseport," beg leave to report the same back, and recommend its reference to the Committee on Banks.

B. F. SIMMONS, Chairman.

Agreed to.

The Committee on Education, to whom was referred House bill No. —, a bill to be entitled "An act supplemental to an act to grant pre-emptions to school lands in certain cases," have had the same under consideration, and beg leave respectfully to report:

That they find that the bill merely supplies an omission in the statute to which it is supplementary, fixing the officer to whom payments for pre-empted school lands, and other moneys appropriated by law to the school fund, shall be made, and defining the manner in which receipts for said payments shall be drawn. The equity and justice of the claim of settlers upon those lands to have this deficiency supplied is so manifest, that your committee do not think it necessary to urge it here; but they feel it incumbent upon them to call the attention of the House to the necessity for early action, in order to give effect to the provisions of the act proposed to be amended, and to enable settlers upon school lands to enter them within the time therein specified.

They therefore respectfully report the bill back to the House without amendment, and recommend its passage.

JOSEPH P. CARR, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 18, entitled "An act to amend an act entitled an act to punish offences against slave property," have had the same under consideration, and beg leave to report that the bill was misplaced, or inadvertently overlooked, until the passage of a similar bill by the House. We therefore report this bill to the House, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

The following gentlemen, by leave, introduced the following bills:

Mr. O. H. Browne, a bill to provide for the continuance and erection of public buildings in the Territory of Kansas. Read a first time, and, on suspension of rules, a second time by its title, and referred to the Committee on Public Buildings.

Mr. Kirk, a bill to be entitled an act to incorporate the Woodson Town Company. Read a first time, and, on suspension of rules, a second time by its title, and referred to the Committee on Corporations.

Printing, on motion, dispensed with.

Mr. Waterson, a bill to amend an act entitled an act concerning strays. Read a first time, and, on suspension of rules, was read a second time by its title, and referred to the Committee on Agriculture.

Printing, on motion, was dispensed with.

Mr. Dolman, a bill to incorporate the Lodiana Town Company. Read a first time, and, on suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

Printing, on motion, was dispensed with.

The following engrossed bills were read a third time and passed:

A bill to incorporate the Town Company of the town of Pierce.

A bill to incorporate the Manhattan Town Association.

By leave, Mr. Anderson offered the following resolution:

Resolved, by the House of Representatives of the Territory of Kansas, (the Council concurring therein,) that the two Houses go into joint session on Tuesday, February 3d, at 11 o'clock, for the purpose of electing "Superintendent of Public Printing."

Read a second time, by suspension of rules, and adopted.

Message from the Council by Mr. Grover, Clerk:

I am instructed by the Council to inform the House that the following Council bills have passed the Council:

An act to amend an act to regulate the limitation of actions.

An act to incorporate the Carolina Town Company.

An act to amend an act entitled "An act concerning the plats of towns and villages."

An act to incorporate the Wakarusa Seminary.

An act to incorporate the Sabitha Town Company.

Also the following House bills:

An act repealing the 12th section of an act to punish offences against slave property.

An act to amend an act entitled "An act to incorporate the City of Lecompton."

An act to incorporate the Town of Shannon.

An act to incorporate the Vermillion City [Railroad] Company.

An act to incorporate the town of Mount Pleasant.

An act to incorporate the Missouri River and Rocky Mountain Railroad Company.

And send for signature enrolled bill entitled "An act to amend 'An act to provide for recovery of debts by attachment.'"

Mr. Anderson moved to reconsider the vote rejecting Council bill to incorporate the Leavenworth Lyceum.

The yeas and nays were demanded.

Ayes—Messrs. Speaker, Anderson, Butcher, Dolman, Jenkins, McKinney, O'Driscoll, Stout, Simmons, Vaughan, Waterson and Walker.

Nays—Messrs. O. H. Browne, Carr, Davis, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Martin, Reese, Randall, Spratt, Tebbs, and Young.

The proceedings were announced out of order, the bill having passed out of the House.

Mr. Anderson offered the following resolution:

Resolved, That the Council be requested to return a bill chartering the Leavenworth Lyceum to this House.

Adopted by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Brantly, Carr, Davis, Dolman, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Martin, O'Driscoll, Reese, Randall, Stout, Simmons, Tebbs, Vaughan, Waterson and Young—23.

Nays—None.

Absent—Messrs. Fox, Garrett, Laws, Spratt, Thompson, Walker and White.

The House then adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment. Dr. Tebbs, Speaker *pro tem.*, in the chair.

The roll being called, the following members were absent:

Messrs. Anderson, Garrett, Johnson, Martin, Thompson and Mr. Speaker.

Mr. Anderson moved to take up Missouri River and Rocky Mountain Railroad charter. Carried.

The bill was taken up, and, by suspension of rules, the Council amendment was read a first, second and third time, and passed.

Council Bills Read a First Time.

The following Council bills were taken up and read a first time:

An act to amend an act entitled "An act concerning forcible entries and detainers."

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Judiciary.

An act to authorize the payment of $129 80 to George Matney.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Finance.

An act to prescribe the duties of judges and justices in criminal cases.

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act to amend an act entitled "An act to provide for the pay of officers and others."

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act to incorporate the Buffalo Town Association.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act to declare a military road a public highway.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Roads and Highways.

An act supplemental to an act entitled "An act to regulate proceedings upon writs of mandamus."

By suspension of rules, the bill was read a second time, and referred to the Committee on Judiciary.

An act regulating suits.

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act to incorporate the Planters' Hotel Company.

By suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

An act to incorporate the Prairie City Coal and Mining Company.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act regulating associations.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act to incorporate the Lecompton Improvement Association.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

Mr. Johnson, by leave, gave notice of the introduction of a bill to charter the American Bank.

By suspension of rules, Mr. Johnson, from the Committee on Judiciary, made the following report:

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 5, entitled "An act regulating actions," have had the same under consideration, and beg leave to report the same to the House, and recommend its passage, with the following amendment:

Add at the close of the first section the following clause: "Provided that nothing in this act shall be so construed as to prevent the recovery of debts on verbal contracts for the sale of improvements on public lands."

D. J. JOHNSON, Chairman.

Agreed to.

By suspension of rules, the amendment was read a second time, and the bill, as amended, ordered to be engrossed and read a third time to-morrow.

An act to encourage the navigation of Kansas river.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act supplemental to an act entitled "An act to incorporate the city of Leavenworth."

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act to punish horse stealing.

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act concerning tender and confession.

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act to locate and establish a Territorial road from Shawnee Mission to Cofachique.

By suspension of rules, was read a second time, and referred to the Committee on Roads and Highways.

An act to incorporate the inhabitants of the town of Doniphan, in Doniphan county.

By suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

An act to incorporate the Marysville, Palmetto and Roseport Railroad Company.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Internal Improvements.

Ordered to be printed.

An act to establish a Territorial road from Leavenworth to Lecompton, diverging to Lawrence.

By suspension of rules, was read a second time by its title, and referred to the Committee on Roads and Highways.

A message from the Council, by Mr. Hughes, Chief Clerk:

I am instructed by the Council to inform the House that they hereby return Council bill "to incorporate the Leavenworth Lyceum," in accordance with resolution of the House.

An act to establish a Territorial road from Kickapoo, via Oscaloosa, to Topeka.

Mr. Kirk moved that the bill be rejected. Lost by

Nays—Messrs. Anderson, O. H. Browne, Butcher, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Thompson, Vaughan, Waterson and Walker—19.

Ayes—Messrs. Speaker *pro tem.*, Carr, Johnson, Jenkins, Martin, Simmons and Young—7.

Absent—Messrs. Brantly, Garrett, White and Mr. Speaker.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Roads and Highways.

An act to repeal all laws requiring oaths not authorized by the organic act.

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act to change the name of Jeanette S. H. Martin to Jeanette S. H. Burress.

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act to incorporate the inhabitants of the town of Delaware, in Leavenworth county.

By suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

An act to incorporate the Central Railroad Company of Kansas Territory.

Further reading than its title was dispensed with. By suspension of rules it was read a second time by its title, and referred to the Committee on Internal Improvements.

An act to incorporate the Prairie City and Missouri State Line Railroad Company.

Further reading than its title was dispensed with. By suspension of rules it was read a second time by its title, and referred to the Committee on Internal Improvements.

An act to incorporate the Powhattan Town Company.

Further reading than its title was dispensed with. By suspension of rules it was read a second time by its title, and referred to the Committee on Corporations.

An act to authorize the City of Leavenworth to borrow money.

By suspension of rules, the bill was read a second time by its title. Mr. Anderson moved to refer the bill to the Committee on Banks.

Mr. Johnson moved as a substitute that the whole matter be laid on the table. Lost.

Mr. Anderson's motion then carried.

By leave, Mr. Anderson introduced "A bill to repeal in part section 18 of article 6 of chapter 129, regulating practice and proceedings in criminal cases."

Read a first time. By suspension of rules, the bill was read a second time, and referred to the Committee on Judiciary.

Leave of absence until Tuesday was granted to Messrs. Young and Randall.

Mr. O'Driscoll gave notice of the introduction of the following bills:

A bill to charter a bank in Doniphan.

A bill regulating notice of sales under judgment of strays.

Mr. Johnson moved that the House adjourn. Lost by

NAYS—Messrs. Anderson, O. H. Browne, Butcher, Carr, Fox, Johnson, Kirk, Martin, McKinney, O'Driscoll, Randall, Stout, Simmons, Thompson, and Waterson—15.

AYES—Messrs. Speaker *pro tem.*, Davis, Dolman, Garvin, Fain, Jenkins, Reese, Spratt, Vaughan and Young—10.

ABSENT—Messrs. Brantly, Garrett, Walker, White and Mr. Speaker.

A call of the House was made by motion, and the Sergeant-at-Arms sent after the absentees—Messrs. Brantly, Garrett, Kuykendall, Walker, White and Mr. Speaker.

Messrs. Brantly and Kuykendall were excused.

Regular business was then proceeded with, being the following Council bills, read a first time:

An act to regulate suits on certain instruments.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Judiciary.

An act to incorporate the Wakarusa City Company.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

The Committee on Enrolled and Engrossed Bills have examined bills of the following titles:

An act to repeal the 12th section of an act to punish offences against slave property.

An act to establish a Territorial road from Lecompton to Barnsville, in Bourbon county, K. T.

An act to establish a Territorial road from Lecompton to Roseport, in Doniphan county.

An act to establish a Territorial road from St. Mary's Mission to Fort Riley.

An act to incorporate the town of Palmetto.

An act to incorporate the Roseport Town Company.

And report the same as truly enrolled.

J. C. THOMPSON, Chairman.

An act to incorporate the Ogden Town Company.

By suspension of rules, was read a second time, and referred to the Committee on Corporations.

An act to incorporate a ferry at Ogden, K. T.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Roads and Highways.

An act to incorporate the Geneva Town Company.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Bounds of Counties and Districts.

An act to declare the military road from Fort Leavenworth to Fort Laramie a Territorial road.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Roads and Highways.

Mr. Kirk moved that the House adjourn. Lost by

Nays—Messrs. Speaker *pro tem.*, Anderson, O. H. Browne, Davis, Dolman, Fox, Fain, Garvin, Johnson, Martin, McKinney, O'Driscoll, Stout; Simmons, Thompson, Vaughan and Waterson—17.

Ayes—Messrs. Carr, Jenkins, Reese, Randall, Spratt and Walker—6.

Mr. O'Driscoll moved to suspend the rules. Lost by

Nays—Messrs. Speaker *pro tem.*, Anderson, Butcher, Davis, Dolman, Fox, Fain, Garvin, McKinney, O'Driscoll, Reese, Randall, Stout, Simmons, Thompson and Waterson—16.

Ayes—Messrs. O. Browne, Carr, Johnson, Jenkins, Kirk, Martin, Spratt, Walker and Young—9..

Absent—Messrs. Garrett, White and Mr. Speaker.

The House then adjourned by

Ayes—Messrs. O. H. Browne, Carr, Dolman, Garvin, Johnson, Jenkins, Kirk, Martin, McKinney, Reese, Spratt, Simmons, Thompson, Walker and Young—15.

Nays—Messrs. Speaker *pro tem.*, Anderson, Butcher, Davis, Fox, Fain, O'Driscoll, Randall, Stout, Vaughan and Waterson—11.

Absent—Messrs. Garrett, White and Mr. Speaker.

SATURDAY, January 31, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent:

Messrs. Garrett, Johnson and White.

The proceedings of yesterday were read and approved.

Message from the Council by Mr. Grover, Clerk:

I am instructed by the Council to inform the House that the following Council bills have passed the Council:

An act to incorporate the St. George Town Company.

An act to incorporate the St. George and St. Joseph Railroad Company.

An act establishing a Territorial road from opposite St. Joseph, Mo., to St. George, in Kansas Territory.

An act to establish a Territorial road from the city of Kickapoo to the city of Lecompton.

An act to establish a Territorial road.

An act to amend an act entitled "An act to establish and regulate justices' courts."

An act in relation to railroad companies.

An act to incorporate the St. George Bridge Company.

Also, the following House bills:

House bill No. 39, "A bill to incorporate the Town Company of Eureka."

A bill to incorporate the Town Company of America.

Which was amended, and as amended, passed.

Mr. Speaker's absence on yesterday was excused.

Mr. Brantly moved to dispense with the regular order of business, and take up Council bills on their first reading. Carried.

The following Council bills were read a first time:

An act to incorporate the Carolina Town Company.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act to incorporate the Wakarusa City Seminary.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Education.

An act to incorporate the Hiawatha Town Company.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act to incorporate the Sabitha Town Company.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Corporations.

An act to amend an act concerning plats of towns and villages.

By suspension of rules, the bill was read a second time by its title, and referred to the Committee on Agriculture.

An act to amend an act entitled an act to regulate the limitation of actions.

By suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

An act in relation to railroad companies.

By suspension of rules, was read a second time by its title, and referred to the Committee on Internal Improvements.

An act to amend an act entitled an act to establish and regulate justices' courts.

By suspension of rules, was read a second time by its title, and referred to Committee on Judiciary.

An act to establish a Territorial road.

By suspension of rules, the bill was read a second time by its title, and referred to Committee on Roads and Highways.

An act to establish a Territorial road from the city of Kickapoo to the city of Lecompton.

By suspension of rules, the bill was read a second time by its title, and referred to Committee on Roads and Highways.

An act to establish a Territorial road from a point opposite St. Joseph, Mo., to St. George, in Kansas Territory.

By suspension of rules, the bill was read a second time by its title, and referred to Committee on Roads and Highways.

An act to incorporate the St. Joseph and St. George Railroad Company.

By suspension of rules, the bill was read a second time by its title, and referred to Committee on Internal Improvements.

An act to incorporate the St. George Town Company, and for other purposes.

By suspension of rules, the bill was read a second time by its title, and referred to Committee on Corporations.

And, an act to incorporate the St. George Bridge Company.

By suspension of rules, the bill was read a second time by its title, and referred to Committee on Roads and Highways.

The Committee on Enrolled and Engrossed Bills have examined the following bill:

An act to incorporate the Missouri River and Rocky Mountain Railroad Company, and report the same as truly enrolled.

J. C. THOMPSON, Chairman.

Reports of Standing Committees.

The Committee on Finance, to whom was referred the petition of John K. Shepherdson, praying for relief in payment for provisions furnished the *posse* ordered out by the Sheriff of Douglas county, to assist him in the execution of the laws, in December, 1855, beg leave to report that they have examined the vouchers of said Shepherdson; that they are sufficiently formal and entitled to credence.

From these vouchers it appears that the sum of nine hundred and forty dollars and eighty cents is due said Shepherdson. The committee therefore recommend an appropriation for the payment of that amount.

O. H. BROWNE, Chairman.

Agreed to.

By leave, Mr. O. H. Browne offered the following resolution:

Resolved, That the Clerk be directed to request the Council to send to this House the vouchers, or evidence of debt or obligation, on which is based Council bill No. 19, entitled "An act to authorize the payment of one hundred and twenty-nine dollars and eighty cents to George Matney."

Adopted.

The Committee on Agriculture, to whom was referred House bill entitled "An act to amend an act concerning strays," ask leave to report the same without amendment, and recommend its passage.

T. W. WATERSON, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Corporations, to whom was referred House bill No. 25, entitled a "bill to incorporate the Newcastle Coal and General Mining Company," have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passsage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill, by suspension of rules, was read a third time and passed.

The Committee on Bounds of Counties and Districts, to whom was referred House bill No. 26, "An act to detach the county of Brown from the county of Doniphan, and to organize Brown county," have had the same under consideration, and beg leave respectfully to report the same back to the House, with the following amendments:

Strike out the word "permanent," between the words "the" and "seat" in the second line of the second section, and insert the word "temporary," and add the following section:

"Sec. 3. That at the first general election there shall be elected by the qualified voters of said county three Commissioners, who shall, having first taken an oath faithfully and impartially to discharge their duty, proceed to locate the permanent seat of justice in said county, and who shall receive such compensation for their services as may be allowed by the tribunal transacting county business."

And change the numbers of the succeeding sections to correspond with the above, and, as amended, recommend its passage.

R. L. KIRK, Chairman.

Agreed to.

The amendments were read a second time, by suspension of rules, and, the bill, as amended, ordered to be engrossed and read a third time on Monday.

The Committee on Roads and Highways, to whom was referred House bill entitled "An act to authorize W. F. & G. M. Dyer to establish a bridge across Grasshopper creek, at the crossing of the Military road at the town of Osawka," after carefully examining said bill would beg leave to make the following report:

Your committee is fully impressed that a bridge at the point named in said bill would be a great accommodation to the travelling public, and would recommend its passage, with the following amendment:

At the close of the third section, amend by adding the following sections:

Sec. 4. If the said W. F. & G. M. Dyer shall suffer said bridge to go to decay, so as to render crossing thereon unsafe, or shall suffer said bridge to remain out of repair for the space of three months at any time, the privileges herein granted shall determine.

Sec. 5. The said W. F. & G. M. Dyer, their heirs and assigns, are authorized and empowered to demand and receive the following rates of toll for crossing said bridge, to-wit: For every wagon, fifteen cents, and five cents for every horse, mule, ass, jennet, or ox, attached to and used in said wagon; for each carriage, fifteen cents, and five cents for each horse or mule attached thereto; for every loose ox, cow, bull, calf, horse, mule, jennet, or ass, three cents; for each and every person, three cents; for every single person and horse, five cents and no more; and it is further provided, that the said W. F. & G. M. Dyer shall not obstruct or stop the ford at said crossing.

JAMES KUYKENDALL, Chairman.

The report and bill were recommitted.

The Committee on Corporations, to whom was referred Council bill No. 33, entitled "An act to incorporate the Prairie City and Missouri State Line Railroad Company," have had the same under consideration, and recommend its commitment to the Committee on Internal Improvements.

B. F. SIMMONS, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred Council bill No. 32, entitled "An act to incorporate the Prairie City Coal Mining Company," have had the same under consideration, and beg leave to report that said bill having in view the construction of macadamized, turnpike and railroads, they recommend its commitment to the Committee on Internal Improvements.

B. F. SIMMONS, Chairman.

Agreed to.

The Committee on Education, to whom was referred House bill No. 89, a bill to be entitled "An act to regulate the practice of physicians," have had the same under advisement, and beg leave respectfully to report the same back to the House without amendment, and recommend its passage.

JAMES P. CARR, Chairman.

Agreed to.

The bill was read a third time and put on its passage.

The House then adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

The question before the House being, "shall the bill (a bill to regulate the practice of physicians) pass?" Mr. Anderson offered the following amendment by way of rider:

Sec. —. There is nothing in this act which shall prevent the practice of midwifery, or diseases of children, by old women.

On motion of Mr. Brantly, the amendment was laid on the table.

And the bill was passed by

Ayes—Messrs. Speaker, O. H. Browne, Brantly, Carr, Davis, Dolman, Fain, Garrett, Jenkins, Kirk, McKinney, O'Driscoll, Reese, Spratt, Thompson and Vaughan—16.

Nays—Messrs. Anderson, Butcher, Fox, Garvin, Kuykendall, Laws, Stout, Simmons, Waterson and Walker—10.

Absent—Messrs. Johnson, Martin, Tebbs and White.

Mr. Anderson moved to reconsider the vote on the rejection of the Council bill to incorporate the Leavenworth Lyceum. Carried.

Mr. Brantly moved that the House adjourn. Carried by

Ayes—Messrs. O. H. Browne, Carr, Dolman, Garvin, Johnson, Jenkins, Kirk, Martin, McKinney, Reese, Spratt, Simmons, Thompson, Walker and Young—15.

Nays—Messrs. Speaker, Anderson, Butcher, Davis, Fox, Fain, O'Driscoll, Randall, Stout, Vaughan and Waterson—11.

Absent—Messrs. Garrett and White.

MONDAY, February 2, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

Martin White, Esq., the member elect from Lykins county, presented his credentials, and was sworn in.

At the call of the roll, the following members were absent on leave—Messrs. S. G. Brown, Bernard, Martin, Randall, Tebbs and Young.

Sick—Mr. O'Driscoll.

Message from the Council, by Mr. Hughes, Chief Clerk:

I am instructed by the Council to inform the House, that the following House Bills have passed the Council:

No. 27—For the incorporation of Newcastle Town Company.

No. 30—To charter a ferry at Calhoun, K. T.

No. 34—Establishing a Territorial road from the city of Lecompton, via St. Bernard, to Shannon, the county seat of Anderson county, and thence to Cofachique.

No. 10—To legalize the acts of the Board of County Commissioners of the county of Anderson.

No. 49—An act to incorporate the Manhattan Town Association.

No. 47—To incorporate the city of Iowa Point.

Mr. O. H. Browne offered the following resolutions:

Resolved, That the Clerk be directed, forthwith, to request the Council to return to this House a "bill repealing an act supplemental to an act to provide for the collection of the revenue," that bill never having passed this House.

Resolved, further, That this House will not permit any man to regulate its action, or falsify its record.

Adopted.

Reports of Standing Committees.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 17, entitled "An act to amend an act concerning forcible entries and detainers," have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 24, entitled "An act to amend an act entitled 'an act to provide for the pay of officers and others,'" have had the same under consideration, and beg leave to make the following report;

Your committee are of the opinion, that inasmuch as the clerks of the several District Courts are officers appointed by the Judges of each District, and their fees and salaries have been prescribed by the laws of Congress, that the same is not a subject matter for the legislation of this body; therefore, strike out all that portion of the first section of this bill which refers to the fees of the District Clerks. We would further recommend the following amendment to the 3d clause of the above section: after "fifty cents," strike out the words "and in addition to the fees now allowed by law," and substitute instead thereof the following: "and in addition to the fees allowed for the service of every such summons." And further, in the same clause, add after the words "the place of service of any writ," the following: "after having travelled five miles." And, further, in the same clause, strike out all the remaining portion of the clause and section occurring after the words "for calling any action, five cents." And further, strike out all of 2nd section. Your committee, with the above and foregoing amendments, report this bill to the House and recommend its approval.

D. J. JOHNSON, Chairman.

Agreed to.

The amendments were read a second time, by suspension of rules, and the bill, as amended, was ordered to be engrossed, and read a third time to-morrow.

The Committee on Roads and Highways, to whom was referred Council bill No. 3, entitled, "An act to establish a Territorial road from the city of Kickapoo, by way of Oscaloosa (or Newell's mill), to Topeka, in the Territory of Kansas," report said bill back to the House, with the following amendment:

Whereas, the country through which said road is proposed to pass is now amply supplied with roads the most of the distance between said points, it shall therefore be the duty of the above named commissioners to locate said road upon the Kickapoo and Lecompton road as far as practicable, and from Lecompton west upon the road to Calhoun as far as practicable.

And with this amendment, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

Mr. Kirk moved to amend, by striking out Newell's mill, in first section.

On motion, the rules were suspended and amendments read a second time, and bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on Agriculture, to whom was referred Council bill No. 83, have had the same under consideration, and ask leave to report the same back without amendment, and recommend its passage.

T. W. WATERSON, Chairman.

By suspension of rules, the bill was read a third time and passed.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 70, "An act to prevent horse stealing," beg leave to report the same back to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 27, entitled an "Act to change the name of J. S. H. Martin to J. S. H. Burress," beg leave to report the same back to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 69, entitled "An act to amend an act entitled 'an act to regulate the limitations of actions,'" beg leave to report the same back to the House, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 21, "An act to prescribe the duties of judges and justices in criminal cases," beg leave to report the same back to the House, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 67, entitled "An act to regulate suits on certain instruments," beg leave to report the same back to the House, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Roads and Highways, to whom was referred House bill entitled "An act to authorize W. F. & G. M. Dyer to establish a bridge across Grasshopper creek, at the crossing of the military road at the town of Osawka," having reconsidered said bill, beg leave to report the same back to the House, with the following amendment:

At the close of the 5th section, amend by adding the following section: "Sec. 6. If the said W. F. & G. M. Dyer shall suffer said bridge to go to decay so as to render crossing thereon unsafe, or suffer said bridge to remain out of repair for the space of three months at any one time, the privileges herein granted shall cease; and provided further, that the said W. F. & G. M. Dyer shall not obstruct or stop the ford at said crossing;" and, as amended, recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

By suspension of rules, the amendment was read a second time, and the bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on Roads and Highways, to whom was referred Council bill No. 70, "An act to declare the military road from Fort Leavenworth to Fort Laramie a Territorial road," have examined said bill and report it back to the House, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

By suspension of rules, the bill was read a third time. Mr. Kirk moved to postpone further consideration of the bill until to-morrow. Lost by

Nays—Messrs. Anderson, O. H. Browne, Butcher, Bernard, Brantly, Davis, Fain, Garvin, Garrett, Johnson, Jenkins, Kuykendall, Laws, McKinney, Reese, Simmons, Thompson, Vaughan, Waterson, Walker and White—21.

Ayes—Messrs. Speaker, Carr, Dolman, Fox, Kirk, Stout and Spratt—7.

And the bill then passed by

Ayes—Messrs. Anderson, O. H. Browne, Butcher, Brantly, Davis, Fox, Fain, Garvin, Kuykendall, Laws, McKinney, Reese, Simmons, Thompson, Vaughan, Waterson, Walker and White—18.

Nays—Messrs. Speaker, Bernard, Carr, Dolman, Kirk and Stout—6.

Absent—Messrs. Garrett, Johnson, Jenkins and Spratt.

The Committee on Roads and Highways, to whom was referred Council bill No. 80, entitled "An act to establish a Territorial road from opposite St. Joseph, Mo., to St. George, in Kansas Territory," beg leave to report the same back to the House with the following amendment:

In the first section, instead of "St. Joseph, Mo," read "Roseport, opposite St. Joseph, Mo.;" and with that amendment recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The amendment, by suspension of rules, was read a second time, and bill, as amended, ordered to be engrossed and read a third time to-morrow.

The Committee on Roads and Highways, to whom was referred Council bill No. 16, entitled "An act to establish a Territorial road from Leavenworth to Lecompton, diverging to Lawrence," beg leave to report the same back to the House, and recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time, and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 19, entitled "An act to locate a road from Shawnee Mission to Cofachique," have examined said bill and the amendment of the Council thereto, and beg leave to report the same back to the House, and recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 50, entitled "A bill to declare a military road a public highway and Territorial road," report the same back, and recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

Mr. Waterson, by leave, introduced a bill to incorporate the Topeka Bridge Company. Read a first time, and, by suspension of rules, a second time by its title, and referred to the Committee on Roads and Highways.

Mr. Dolman, by leave, introduced a bill to establish a Territorial road from Lecompton to Richmond, the county seat of Nemaha county, and other places. Read a first time, and, on suspension of rules, a second time by its title, and referred to the Committee on Roads and Highways.

Mr. Brantly, by leave, offered the following resolution:

Resolved, That the Committee on Judiciary be instructed to report this afternoon Council bill No. — (which is the bill re-districting the Territory) back to this House.

Mr. Waterson offered the following as a substitute:

Resolved, That the Committee on Judiciary, to whom Council bill No. —, was referred, re-districting the Territory, shall be requested to report the same as soon as convenient.

The substitute was lost by

Nays—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, Reese, Spratt, Thompson and White—19.

Ayes—Messrs. Jenkins, McKinney, Simmons, Vaughan, Waterson and Walker—6.

Absent—Messrs. Bernard and Garrett.

And then the resolution was lost by

Nays—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Carr, Dolman, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, McKinney, Stout, Spratt, Simmons, Thompson, Vaughan, Waterson and White—21.

Ayes—Messrs. Brantly, Davis, Fox, Reese and Walker—5.

Absent—Messrs. Bernard and Garrett.

The Committee on Enrolled and Engrossed Bills have examined bills of the following titles: "An act to incorporate the Missouri River and Nemaha Valley Railroad Company;" "An act to detach the county of Brown from the county of Doniphan, and to organize Brown county;" and "An act to incorporate the city of Manhattan;" and report the same as truly engrossed.

J. C. THOMPSON, Chairman.

The Committee on Enrolled and Engrossed Bills have examined bills of the following titles, to-wit: "An act to establish a Territorial road and highway along the valley of the Big Blue;" "An act to authorize Hugh Cameron to keep a ferry; "An act to declare a military road from Fort Riley north-west to the Nebraska line, a Territorial road;" "An act to locate a Territorial road from Council city to the town of Columbia;" "An act to incorporate the Kansas Locating Association;" and "An act to locate a Territorial road from Doniphan, via Iowa Point, to the Kansas and Nebraska line opposite Ray's ferry," and report the same as truly enrolled.

J. C. THOMPSON, Chairman.

Mr. Brantly gave notice of the introduction of a bill to incorporate the Sprattville Town Company.

The Committee on Corporations, to whom was referred House bill No. —, entitled "An act to incorporate the Woodson Town Company," have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The rules being suspended, the bill was read a third time and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Lodiana Town Company, have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

By leave, Mr. Walker introduced a bill amendatory of an act entitled "An act to provide for the collection of the revenue." Read a first time, and, by suspension of rules, a second time by its title, and referred to the Committee on Judiciary and Criminal Jurisprudence.

Also, "An act to incorporate the Town Company of Quindaro." Read a first time, and, by suspension of rules, a second time by its title, and referred to the Committee on Corporations.

Mr. Thompson introduced a bill to establish a Bank at Lecompton. Read a first time, and, on suspension of rules, a second time by its title, and referred to Committee on Banks.

Mr. Carr introduced a bill to be entitled "An act to incorporate the Atchison Hotel Company." Read a first time, and, on suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

The Committee on Corporations, to whom was referred Council bill No. 56, "An act to incorporate the Planters' Hotel Company," have had the same under consideration, and beg leave to report the same without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was then read, under suspension of rules, a third time, and passed.

The Committee on Corporations, to whom was referred Council bill No. 58, entitled "A bill to incorporate the Ogden Town Company," have had the same under consideration, and beg leave to report the same back without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 82, entitled "An act to establish a Territorial road from the city of Kickapoo to the city of Lecompton," report the same back to the House, and recommend its passage.

JAMES KUYKENDALL, Ch'n.

Agreed to.

By suspension of rules, the bill was read a third time, and passed.

The Committee on Corporations, to whom was referred Council bill No. 43, "to incorporate the Buffalo Town Association," have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Recommitted.

The House adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Message from the Council by Mr. Hughes, Chief Clerk:

That the Council had concurred in the concurrent resolution to go into joint session to-morrow at 11 o'clock, to elect a Superintendent of Public Printing.

The Committee on Corporations, to whom was referred Council bill No. 43, entitled "An act to incorporate the Buffalo Town Association," have had the same under consideration, and report it back to the House with the following amendment:

Sec. 11. Provided, that nothing herein contained shall be construed to conflict with the provisions of an act of Congress in relation to pre-emption of town sites.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the amendment was read a second time, and the bill, as amended, ordered to be engrossed.

Mr. Brantly offered the following resolution:

Resolved, That a committee of three be appointed to examine the Journal as to its correctness, and report the facts to this House. Adopted.

Committee—Messrs. Cain, Fox and Vaughan.

Mr. Simmons offered the following concurrent resolution:

Resolved by the House of Representatives of the Territory of Kansas, (the Council concurring herein,) that each Committee of Internal Improvements of the House and Council be instructed to memorialize Congress for appropriations for internal improvements—the two committees acting jointly.

Read a first time, and, by suspension of rules, was read a second time, and passed.

Mr. Kirk offered the following resolution:

Resolved, That the Clerk of this House be instructed to request the Council to return the House bills sent by order of the Speaker to the Council for information; and also to request the Council to instruct their Clerks, whenever House bills are amended in the Council and then passed, to make the announcement that the bill passed with amendment. Passed.

By leave, Mr. Butcher introduced a bill to establish a Territorial road from Paola to Lecompton. Read a first time, and, on motion of Mr. Fox, was laid on the table.

Mr. Fox introduced a bill to establish a Territorial road from Big Springs to Council Grove. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Roads and Highways.

The Committee on Corporations, to whom was referred Council bill No. 48, have had the same under consideration, and report the same back, recommending its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time, by suspension of rules, and passed.

Mr. Simmons introduced a bill to incorporate the Missouri Valley Bank. Read a first time, and, by suspension of rules, read a second time by its title, and referred to the Committee on Banks.

Mr. Martin introduced a bill to incorporate the Kickapoo and Gulf Railroad Company. Read a first time, and, on suspension of rules, a second time by its title, and referred to the Committee on Internal Improvements.

Mr. Dolman moved to take up an act to incorporate the Missouri River and Nemaha Valley Railroad. Lost.

Mr. Kirk gave notice of the introduction of a bill to incorporate the Greenwood Town Company.

Mr. Johnson introduced the following bills:

A bill to incorporate the Central Railroad Company. Read a first time, and, on suspension of rules, a second time, by its title; and referred to the Committee on Internal Improvements.

A bill to incorporate the Drovers' Bank at the city of Leavenworth. Read a first time, and, on suspension of rules, was read a second time by its title, and referred to Committee on Banks.

Mr. Anderson introduced a bill to regulate hedges on roads and highways. Read a first time, and, on suspension of rules, was read a second time by its title, and referred to the Committee on Agriculture.

Mr. Anderson moved that the Clerk request the Council to return immediately Council bill to incorporate the Leavenworth Lyceum. Carried.

Mr. Thompson moved to reconsider the vote of approval of Journal of yesterday. Carried.

The Journal was then amended and approved.

Mr. Johnson introduced a bill to incorporate the Bank of America in the city of Leavenworth. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to Committee on Banks.

Message from the Council by Mr. Grover, Clerk:

Resolved, That the Clerk of the Council be instructed to inform the House that the Council will most cheerfully return House bills sent by order of the Speaker of the House, if the House will designate them.

Mr. Anderson moved to take up the bill entitled "An act to incorporate the Leavenworth Lyceum." Carried.

Mr. Johnson moved to a point of order.

The Speaker decided that the bill was in order.

Mr. Johnson appealed from the decision of the Chair. The question being put: "Shall the Chair be sustained?" it was sustained by

AYES—Messrs. Anderson, Butcher, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Walker and White—23.

NAYS—Messrs. Johnson, Jenkins and Waterson—3.

ABSENT—Messrs. O. H. Browne, Bernard and Garrett.

A call of the House was made.

Mr. Bernard's absence was excused.

And the bill then passed by

Ayes—Messrs. Speaker, Anderson, Butcher, Brantly, Davis, Dolman, Fox, Garrett, McKinney, Reese, Stout, Simmons, Vaughan, Waterson and Walker—15.

Nays—Messrs. O. H. Browne, Carr, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, Spratt, Thompson, Tebbs and White—14.

The House then adjourned.

TUESDAY, February 3, 1857.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Absent at the call of the roll—Mr. Johnson.

Sick—Mr. O'Driscoll.

The proceedings of yesterday were read.

Message from the Council by Mr. Grover, Clerk:

I am instructed to inform the House that the Council has passed the following House bills:

An act to establish a Territorial road from Atchison to Vermillion city, Kansas Territory.

An act to incorporate the Town Company of the Town of Pierce.

An act to amend an act concerning strays.

Have amended and passed the following House bills:

A bill for the relief of the collectors of the public revenue.

An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas.

A bill to incorporate the Town of Mount Pleasant.

An act to amend an act entitled "An act to incorporate the city of Lecompton."

Also the following Council bills have passed the Council:

An act amendatory of an act to regulate proceedings in criminal cases.

An act more particularly to define the boundaries of the several counties of Kansas Territory.

And that the papers touching the account of Geo. Matney are herewith submitted to the House at the request of the same.

The Council, with their officers, were announced. The House rose to receive them, and the two bodies passed into Joint Session, Mr. R. R. Reese, President *pro tem.* of the Council, in the chair. The business, the election of a Superintendent of Public Printing.

Mr. Grover nominated Mr. A. B. Hazard, of Kickapoo.

Mr. Kirk nominated T. M. Crowder.

Mr. Christian nominated G. W. Brown.

Nominations were then closed, and the ballot stood:

For Mr. Hazard—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Davis, Fox, Fain, Johnson, Jenkins, Kuykendall, Martin, McKinney, Reese, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, White and Young—24.

For Mr. Crowder—Messrs. Carr, Garvin, Kirk and Laws—4.

Mr. Hazard having received 32 votes, was declared duly elected Superintendent of Public Printing.

The Joint Session was then dissolved.

The House was called to order.

Mr. Stout introduced a petition from sundry citizens of Doniphan county, for change of county seat. Read.

Mr. Stout moved to refer it to a special committee.

Mr. Waterson moved as a substitnte that it be referred to Committee on Bounds of Counties and Districts, which prevailed; and it was so referred.

Reports of Standing Committees.

The Committee on Corporations, to whom was referred Council bill No. 84, entitled "An act to incorporate the Carolina Town Company," have had the same under consideration, and beg leave to report the same back to the House with the following amendment:

Sec. 5. Provided that nothing herein contained shall be construed to conflict with the law of Congress in relation to pre-emption of town plats.

And recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the amendment was read a second time, and the bill, as amended, was ordered to be engrossed, and read a third time to-morrow.

The Committee on Corporations, to whom was referred House bill No. 55, "for the incorporation of the Roseport Insurance Company," have had the same under consideration, and beg leave to report the same without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time, and, by suspension of rules, was considered as engrossed, and passed.

The Committee on Corporations, to whom was referred Council bill entitled "An act to incorporate the inhabitants of the Town of Delaware, in Leavenworth county," have had the same under consideration, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Enrolled and Engrossed Bills have examined a bill entitled "An act to incorporate the city of Atchison," and report the same as truly engrossed. **J. C. THOMPSON, Chairman.**

On motion of Mr. Carr, the bill to incorporate the city of Atchison was taken up, and, by suspension of rules, read a third time by its title, and passed.

The Committee on Corporations, to whom was referred Council bill No. 46, entitled "An act supplemental to an act entitled 'an act to incorporate the city of Leavenworth,'" have had the same under consideration, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was then, by suspension of rules, read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 59, entitled "An act to incorporate a ferry at Ogden, K. T.," have examined said bill and report the same back to the House, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The rules were suspended, the bill read a third time, and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 81, "An act to establish a Territorial road," report the same back to the House without amendment, and recommend its passage

JAMES KUYKENDALL, Ch'n.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill to incorporate the St. George Bridge Company, after a careful examination of said bill, agree to report the same back without amendment, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

Mr. Waterson introduced a bill to incorporate the Bank of Palermo. Further reading of the bill was dispensed with, other than its title, and, by suspension of rules, it was read a second time, and referred to the Committee on Banks.

Mr. Brantly introduced a bill to incorporate the Sprattsville Town Company. Further reading of bill was dispensed with, other than its title, and, by suspension of rules, it was read a second time, and referred to Committee on Corporations.

Mr. Young introduced a bill entitled "An act supplemental to an act to declare the military road from Fort Leavenworth to Fort Laramie a Territorial road." Read a first time, and, by suspension of rules, it was read a second time by its title; and by further suspension of rules, it was read a third time and passed.

Mr. Kirk introduced a bill to incorporate the Greenwood Town Company. Further reading of the bill was dispensed with, other than its title, and, by suspension of rules, it was read a second time by its title, and referred to Committee on Corporations.

Mr. Waterson introduced a bill to incorporate the Palermo Town Company. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to Committee on Corporations.

Mr. Waterson introduced a bill to incorporate the city of Palermo. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to Committee on Corporations.

By leave, Mr. Jenkins made the following report:

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred a bill entitled "An act to define the several Judicial Districts of the Territory of Kansas," have had the same under consideration, and recommend its passage, with the following amendments:

In section 1st, after the word "Calhoun," insert "Johnson," and strike out the words "Riley, Marshall, Nemaha;" so that the section may read, "the counties of Leavenworth, Jefferson, Calhoun, Johnson, Brown, Doniphan and Atchison."

In section 2d, amend by striking out the word "Johnson," after "counties," and striking out the words "Richardson, Davis, Wise and Breckenridge," after "Shawnee," and after the word "Lykins" insert "Coffey, Anderson, Linn, Woodson, Allen, Bourbon, Wilson, Dorn and McGee;" so that the section may read, "the counties of Douglas, Shawnee, Weller, Franklin, Lykins, Coffey, Woodson, Allen, Bourbon, Wilson, Dorn and McGee."

In section 3d, amend by striking out after the word "counties," the words "Linn, Bourbon, McGee, Dorn, Allen, Anderson, Coffey, Woodson and Watson," and after the word "Arapahoe" insert the words "Marshall, Nemaha, Riley, Davis, Richardson, Wise and Breckenridge;" so that the section may read, "the counties of Godfrey, Greenwood, Madison, Butler, Hunter, Arapahoe, Marshall, Nemaha, Riley, Davis, Richardson, Wise and Breckenridge."

Laid over, and made the order for 2½ o'clock this evening.

The Treasurer's report was read.

To the Honorable House of Representatives of Kansas Territory:

In accordance with the law organizing my office, I herein transmit to your honorable body the following report of the condition of my office for the year ending the 29th August, 1856.

Received from Carey B. Whitehead, sheriff of Doniphan county, K. T., on the 27th of December, 1855, as poll tax, collected by him in said county, three hundred and thirty-two dollars, of which, one hundred and forty-four dollars and ninety-four cents were allowed him as fees, &c., and paid into the Treasury, - - - - - -	$187 06
Received of Green D. Todd, sheriff of Leavenworth county, eleven hundred and nine dollars, as poll tax of said county, of which one hundred and fourteen dollars were allowed him as fees, &c., and paid into the Treasury, -	994 60
Received of Samuel J. Jones, sheriff of Douglas county, two hundred and sixty-four dollars, as poll tax of said county, of which there was allowed him eighteen dollars and forty-four cents as fees, &c., and paid into the Treasury, -	245 56
June 4th, 1856, received of Ely C. Mason, sheriff of Atchison county, two hundred and thirty dollars, as poll tax of said county, of which there was allowed him twenty-four	
Amount carried forward,	$1427 22

Amount brought forward,	$1427 22
dollars and sixty cents for fees, &c., and paid into the Treasury,	205 40
August 7th, 1856, received of B. F. Johnson, sheriff of Johnson county, one hundred and ninety-two dollars, as poll tax of said county, of which there was allowed him twelve dollars and twenty-four cents as fees, &c., and paid into the Treasury,	179 26
Total receipts into the Treasury from the poll tax of 1855,	$1,811 88

All of which has been paid out to various claimants on the Treasury, as shown by the following list of warrants drawn by the Auditor of Public Accounts:

Warrant No. 1,	drawn in favor of	Charles H. Grover,	$50 00
" 2,	" "	Auditor Public Accounts,	100 00
" 3,	" "	Treasurer,	70 00
" 4,	" "	D. Scott Boyle,	24 00
" 6,	" "	B. F. Simmons,	100 00
" 7,	" "	John A. Halderman,	50 00
" 5,	" "	J. D. Clark,	4 00
" 12,	" "	Librarian,	25 00
" 11,	" "	Auditor Public Accounts,	72 05
" 9,	" "	Treasurer,	102 00
" 10,	" "	Inspector General,	37 50
" 13,	" "	S. J. Waful,	152 00
" 14,	" "	T. H. Ellis,	4 00
" 15,	" "	T. C. Hughes,	16 00
" 16,	" "	Adjutant General	37 50
" 17,	" "	T. C. Hughes,	232 00
" 18,	" "	G. W. McGowen,	8 00
" 19,	" "	C. B. Whitehead,	40 00
" 20,	" "	Geo. Homes,	24 00
" 21,	" "	T. W. Hayes,	20 00
" 22,	" "	W. L. Halsey,	24 00
" 23,	" "	W. W. Glenn,	8 00
" 24,	" "	John S. Davis,	4 00
" 25,	" "	Auditor Public Accounts,	100 00
" 26,	" "	Librarian,	25 00
" 27,	" "	Treasurer,	100 00
" 29,	" "	Inspector General,	37 50
" 30,	" "	Auditor Public Accounts,	82 95
" 31,	" "	Treasurer,	82 95
" 33,	" "	S. J. Waful,	80 00
		Amount carried forward,	$1712 45

	Amount brought forward,	$1712 45
Warrant No. 45,	" " Auditor Public Accounts,	57 05
49,	" " C. Thompson,	40 00
	Paid out on warrants,	$1,809 50
	Gross receipts into the Treasury,	1,811 88
	Balance unpaid,	$2 38

As will appear to you from this exposition, our receipts into the Treasury from the poll tax of 1855, have been small; and, owing to causes obvious to you, the assessments of 1856 will not afford us a much larger sum. As you will learn the condition of the fiscal state of the Treasury more fully from the report of the Auditor of Public Accounts, upon whom the law organizing our offices makes it obligatory to give the details of its past and prospective fiscal condition, I deem it unnecessary to say more.

I am respectfully,
Your obed't serv't,
THOS. J. B. CRAMER, Treas'r.

The report was referred to Committee on Finance, and ordered to be printed.

The House then adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Tebbs, Speaker *pro tem.*, in the chair.

By leave, Mr. Anderson introduced a bill to incorporate the Big Spring Town Association. Read a first time, and, by suspension of rules, a second time by its title, and referred to Committee on Corporations.

Mr. Waterson moved that Council bills, and also House bills passed yesterday, be sent over to the Council.

Mr. Johnson moved, by way of amendment, that bill, to incorporate the Leavenworth Lyceum be left in possession of the House. Lost.

Mr. Johnson moved a call of the House. Carried.

The following members were absent:

Messrs. Garvin, Garrett, Thompson and Mr. Speaker.

Mr. Speaker's absence was excused by

Ayes—Messrs. Speaker *pro tem.*, Brantly, Carr, Davis, Fox, Fain, Garrett, Kirk, McKinney, Stout, Spratt, Simmons, Vaughan and White—14.

Nays—Messrs. Anderson, O. H. Browne, Butcher, Bernard, Dolman, Johnson, Jenkins, Kuykendall, Laws, Reese, Waterson, Walker and Young —13.

Absent—Messrs. Garvin and Thompson.

Mr. Kirk moved that further proceedings under the call be dispensed with. Carried.

Mr. Waterson's motion then carried.

On motion of Mr. Anderson, the House resolved itself into Committee of the Whole, having under consideration the Council bill and report of Committee on Judiciary, in reference to re-districting the Judicial Districts of Kansas Territory. Mr. Anderson in the chair.

After the House spent some time in Committee, it rose, and through its Chairman made the following report:

The Committee of the Whole House, to whom was referred Council bill re-districting the Territory of Kansas into Judicial Districts, with the report of Committee on Judiciary thereon, have had the same under consideration, and report that the committee recommend the passage of the original bill, without amendment.

J. C. ANDERSON, Chairman.

The House then adjourned.

WEDNESDAY, February 4, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent:

Messrs. Garrett, Johnson, Laws, Simmons and Thompson.

The Journal of yesterday was read and approved.

The Committee on Finance, to whom was referred Council bill entitled "An act to authorize the payment of one hundred and twenty dollars and eighty cents to George Matney," beg leave to report that the voucher on which this bill is based, is a certificate of Inspector General Cramer.

From this certificate, it appears that the Territory is indebted to said Matney in the sum of one hundred and ninety-four dollars and seventy cents.

The Committee are not aware of any reason why said Matney should not receive the full amount certified to be due him by the Inspector General, and therefore recommend an appropriation of the amount so certified to be due.

O. H. BROWNE, Chairman.

Agreed to.

Mr. Waterson gave notice of the introduction of the following bills:

An act to establish a ferry at Palermo.

An act to locate a Territorial road from Lodiana to St. Joseph, Mo., via Palermo.

An act to incorporate the Palermo Insurance Company.

An act to locate a Territorial road from Palermo to Fort Riley.

By leave, Mr. Reese introduced a bill to incorporate the Kansas College Association. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

By leave, Mr. Fox introduced a bill amendatory to "An act concerning dram-shops." Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

Mr. Vaughan gave notice of the introduction of "A bill to incorporate the Brownville Town Company."

By leave, Mr. Walker introduced "A bill to incorporate the city of Wyandott." Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

By leave, Mr. Reese introduced "A bill to incorporate the Town Company of Wyola." Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

By leave, Mr. Young introduced a bill to be entitled "An act to amend an act to provide for the collection of the revenue." Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Finance.

By leave, Mr. Fox introduced "A bill to incorporate the town of Agnes City." Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

On motion of Mr. Brantly, the bill re-districting the Judicial Districts of the Territory of Kansas was taken up and read a third time.

Mr. Waterson moved to amend by way of rider. Amend section 1st, by striking out "Leavenworth county;" and amend section 2d, by inserting "Leavenworth county."

On motion to suspend the rules and read the amendment a second time, lost, by

NAYS—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Carr, Davis, Fox, Fain, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Spratt, Simmons, Thompson, Tebbs, Vaughan, White and Young—24.

NAYS—Messrs. Dolman, O'Driscoll, Stout and Waterson—4.

ABSENT—Messrs. Garrett, Johnson and Walker—3.

Mr. Simmons moved to amend by way of rider. Amend by adding "Arapahoe county, and all that portion of territory between Marshall, Riley, Davis, Wise, Butler and Hunter, to the first Judicial District," and striking off the same from the third Judicial District. Read a first time, and, by suspension of rules, a second time.

Mr. Simmons moved to suspend the rules and read the amendment a third time. Carried by

AYES—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garrett, Jenkins, Kirk, Martin, McKinney, Reese, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, White and Young—25.

NAYS—Messrs. Kuykendall, Laws, O'Driscoll and Waterson—4.

ABSENT—Messrs. Johnson and Walker.

Mr. Anderson gave notice of the introduction of an amendment to article 5, section 5, of the Rules and Order for conducting business in the House of Representatives in the Territory of Kansas, in the clause, "And every bill of more than one page of manuscript shall be printed as a matter of course, unless otherwise ordered by the House;" and will offer the following as the rule in such cases: "And no bill shall be printed unless ordered by the House, or the Committee on Public Printing; and it shall be the duty of the Committee on Public Printing to report to the House all bills printed by order of said Committee."

By suspension of rules, Mr. Jenkins made the following report:

The Committee on Internal Improvements, to whom was referred House bill entitled "An act to incorporate the Atchison and Fort Riley Railroad Company," ask leave to report it back, and recommend its passage with the following amendments:

Amend section 4 of "An act to incorporate the Central Railroad Company," by striking out the word "land," and insert "right of way" after the word "such," so as to read "such right of way."

Amend section 10 of the same act by striking out the word "District," in the 4th line, and insert "Probate" after the word "the," so as to read "the Probate Court."

Amend by striking out section 20 of the same act, and insert the following as a substitute: "Said company shall commence the construction of said road within ten years after the passage of this act, and shall complete the same within twenty years thereafter."

W. H. JENKINS, Chairman.

On motion, the report and bill were referred to a special committee of three—Messrs. Carr, Waterson and White.

The Committee on Internal Improvements, to whom was referred House bill, entitled "An act to incorporate the Atchison and Lecompton Railroad Company," ask leave to report the bill back, and recommend its passage with the following amendments:

Amend section 4 of "An act to incorporate the Central Railroad Company," by striking out the word "land," and inserting "right of way" after the word "such," so as to read "such right of way."

Amend section 10 of the same act by striking out the word "District" in fourth line, and insert "Probate" after the word "the," so as to read "the Probate Court."

Amend by striking out section 20 of the same act, and insert the following as a substitute: "Said company shall commence the construction of said road within ten years after the passage of this act, and shall complete the same within twenty years thereafter."

W. H. JENKINS, Chairman.

On motion, the report and bill were referred to a special committee of three—Messrs. Carr, Waterson and White.

Message from the Council by Mr. Grover, Clerk:

I am instructed by the Council to inform the House that the Council has passed House bills of the following titles, viz:

No. 51—A bill to incorporate the Manhattan Institute.

Also, Council bills of the following titles:

An act supplemental to an act to incorporate the Leavenworth, Pawnee and Western Railroad Company.

An act amendatory of an act entitled "An act concerning strays."

An act to authorize Judges of the Probate Court to take the acknowledgment and proof of deeds and other instruments, and to confirm certain acts of the same.

An act amendatory of an act entitled, "An act to regulate executions."

An act providing for the organization of incorporations.

An act to establish a ferry at Wyandott city.

An act to incorporate the Ottawa Town Company.

An act to incorporate the Claytonville Town Company.

An act to incorporate the Buchanan Town Company.

An act to incorporate the Breckenridge College.

An act to locate a Territorial road from Marysville to Council Grove.

An act for the relief of John W. Smith.

An act amendatory of "An act concerning strays."

An act to incorporate the Eastern Kansas and Gulf Railroad Company.

An act entitled "An act to incorporate the Lawrence Bridge Company."

An act to incorporate the Kansas Female Collegiate Institute.

An act to define the duties of sheriffs and collectors of the revenue.

And the following bills have been introduced into the Council:

An act to incorporate the Palermo and Lecompton Railroad Company.

An act to organize the county of Davis.

An act to incorporate the Lawrence Bridge Company.

An act to establish a Territorial road from Leavenworth to the town of Ossawatamie, via Lawrence and Blanton's bridge.

A bill for the relief of John W. Smith.

Mr. Anderson moved to take up House bill for the relief of the collectors of the public revenue, as amended by the Council. Carried.

By suspension of rules, the amendments were read a first, second and third time, and bill then passed as amended.

Mr. Kirk moved to take up House bill, "An act to incorporate the Town of Mount Pleasant," as amended by the Council. Carried.

By suspension of rules, the amendments were read a first, second and third time, and the bill, as amended, was passed.

Engrossed Bills on their Third Reading.

A bill to incorporate the city of Manhattan was read a third time and passed.

A bill to incorporate the Missouri River and Nemaha Valley Railroad Company, read a third time.

Mr. Brantly moved that the bill be postponed indefinitely.

Mr. Thompson moved as a substitute that it be referred to a special committee. Carried.

Committee—Messrs. Dolman, Thompson and Brantly.

The House then adjourned to 2½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Engrossed House bill to detach the county of Brown from the county of Doniphan, and to organize Brown county, was read a third time and passed.

Mr. Jenkins gave notice of the introduction of the following bills:

A bill to amend and better define the jurisdiction of the Probate Courts of the Territory.

A bill to provide for the punishment of persons committing offences against the property, rights and privileges of railroad companies.

House bill to provide for the removal of county seats, was read a third time.

Mr. Simmons offered the following amendment by way of rider:

Sec. 34. Provided that nothing herein contained shall apply to the location of the county seat of Leavenworth county.

By suspension of rules, the amendment was read a second time.

Message from the Council, by Mr. Grover, Clerk:

I am instructed to inform the House that the Council has passed a bill for the better protection of Luther M. Carter and Tecumseh Town Association.

Mr. Simmons withdrew his amendment and offered the following instead:

Sec. 34. Nothing herein contained shall be construed to affect the county seat of Leavenworth county, while the same is in litigation.

By suspension of rules, the amendment was read a second time, and, on further suspension of rules, was read a third time.

Mr. Anderson offered the following amendment by way of rider:

Amend section 9 by inserting between the words "without" and "reservation," in second line, "further," and after the word "condition," read, "than that it shall be adopted as county seat."

The rules were suspended, and the amendment was read a second and third time.

The bill, on motion of Mr. Jenkins, was recommitted to the Committee on Bounds of Counties and Districts.

By leave, Mr. Kuykendall introduced a bill, to change the Judicial Districts in the Territory of Kansas. Read a first time, and, by leave, withdrawn.

By leave, Mr. White introduced a bill. Withdrawn.

Mr. Waterson moved to reconsider ~~the vote~~ of the passage of the bill redistricting the Territory of Kansas. Carried.

The bill was then taken up, and Mr. Kuykendall introduced the following amendment:

Amend by detaching Calhoun from the first District, and by attaching it to the second.

By suspension of rules, the amendment was read a second and third time, and the bill, as amended, was then passed.

By leave, Mr. Martin introduced a bill to provide for the election of officers of the militia by the people. Read a first time, and, by suspension of rules, was read a second time by its title, and recommitted.

Mr. Jenkins was excused from further service on said committee.

The Speaker presented the annual report of the Auditor of Public Accounts, with accounts of Master of Convicts, which was read and ordered to be printed, and referred to Committee on Finance.

Mr. Martin introduced a bill to incorporate the Kansas Territorial University. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Education.

Mr. Simmons moved to take up Council bill, more particularly to define the boundaries of the counties of Kansas Territory. Lost.

Mr. Thompson moved that the Clerk be instructed to request the Council to return House bills No. 14, 3 and 7, improperly sent to that body. Carried.

On motion, the House then adjourned.

THURSDAY, February 5, 1857.

The House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent:

Messrs. Carr, Jenkins, Kirk and White.

Absent by leave—Mr. Simmons.

The Journal of yesterday was read and approved.

Reports of Standing Committees.

The Committee on Finance, to whom was referred "A bill to amend an act to provide for the collection of the revenue," beg leave to report the same back without amendment, and recommend its passage.

O. H. BROWNE, Chairman.

Agreed to.

By suspension of rules, the bill was considered engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Willow Springs Town Company, have had the same under consideration, and beg leave to report the same back to the House with the following amendment:

In section 2d, after the word "land," in fourth line, insert "in the county of Douglas, K. T.," and add the following section:

Sec. 6. Provided nothing herein contained shall be construed to conflict with the law of Congress in relation to pre-emption of town sites.

And, as amended, recommend its passage.

J. C. THOMPSON, Acting Ch'n.

Agreed to.

By suspension of rules, the amendment was read a second time, and the bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on Corporations, to whom was referred House bill to incorporate the Tauroma Town Company, have had the same under consideration, and beg leave to report the same to the House with the following amendments:

Insert in section 2d, after the word "Territory," in third line, the words, "Riley county;" and add the following section:

Sec. 5. Provided that nothing herein contained shall be construed to conflict with the provisions of the law of Congress relating to pre-emption of town sites.

J. C. THOMPSON, Acting Chairman.

Agreed to.

By suspension of rules, the amendments were read a second time, and the bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on Corporations, to whom was referred Council bill "to incorporate the Wakarusa City Company," have had the same under consideration, and beg leave to report the same to the House with the following amendments;

After the word "land," in third line, 2d section, insert "in the county of Shawnee;" and add the following section:

Sec. 6. Provided nothing herein contained shall be construed to conflict with the act of Congress in relation to pre-emption of town sites.

And, as amended, recommend its passage.

J. C. THOMPSON; Acting Ch'n.

Agreed to.

By suspension of rules, the amendments were read a second time, and the bill ordered to be engrossed, and read a third time to-morrow.

The Committee on Corporations, to whom was referred Council bill "to encourage the navigation of Kansas river," have had the same under consideration, and beg leave to report the same to the House, and recommend its passage.

J. C. THOMPSON, Acting Ch'n.

Agreed to.

Mr. Anderson moved to amend by striking out the word "all," and insert the word "usual," in the first section; and add at the end thereof, "by the laws of the Territory."

By suspension of rules, the amendments were read a second time, and the bill considered engrossed, and read a third time, and passed by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Carr, Fox, Fain, Johnson, Jenkins, Kuykendall, Kirk, McKinney, O'Driscoll, Reese, Randall, Stout, Thompson, Tebbs Vaughan, Waterson and Young—23.

Nays—Messrs. Davis, Garrett, Laws, Martin and White—5.

Absent—Messrs. Garvin, Dolman and Walker.

Excused—Mr. Spratt.

The Committee on Agriculture, to whom was referred House bill "to regulate hedging on roads and highways," have had the same under consideration, and a majority of said committee believing it highly necessary that there should be some law regulating the same, and believing that this bill covers all matters needful to enable the farmer to enclose his farm with this desirable kind of enclosure, without unnecessary waste of his land, we therefore report the bill back without amendment, and recommend its passage.

T. W. WATERSON, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Corporations, to whom was referred Council bill No. 79, "to incorporate the St. George Town Company and for other purposes," have had the same under consideration, and beg leave to report the same to the House with the following amendments:

In section 2d, in third line after the word "land," insert the words, "in the county of Riley."

And add the following section:

Sec. 11, Provided nothing herein contained shall be construed to conflict with the provisions of an act of Congress in relation to pre-emption of town sites.

J. C. THOMPSON, Acting Ch'n.

Agreed to.

By suspension of rules, the amendments were read a second time, and the bill, as amended, ordered to be engrossed and read a third time to-morrow.

The Committee on Bounds of Counties and Districts, to whom was recommitted House bill No. 16, "to provide for the removal of county seats," have had the same under advisement, and beg leave respectfully to report the same back to the House with the following amendments:

In section 3d, strike out the words "be a resident of" and "said county," and add the words, "the place designated as the future seat of justice, or within five miles thereof."

In section 32, strike out the words "not resident of the county," and, as amended, recommend its passage.

R. L. KIRK, Chairman.

Agreed to.

By suspension of rules, the amendments were read a first, second and third time.

Mr. Matthias (Mr. Anderson in the chair) offered the following amendment by way of rider:

Strike out all between the words "all" and "within," in the 31st section, and insert the following: "the public buildings and lands on which they are situated."

Mr. O. H. Browne moved as a substitute to Mr. Matthias' amendment:

Strike out sections thirty-one and thirty-two.

Mr. Matthias moved to refer the bill to a select committee.

Mr. Brantly moved the previous question. Lost by

NAYS—Messrs. O. H. Browne, Butcher, Bernard, Brantly, Carr, Fox, Fain, Jenkins, Kirk, Laws, O'Driscoll, Reese, Randall, Spratt, Walker, White and Young—17.

AYES—Messrs. Speaker, Anderson, Davis, Dolman, Garrett, Johnson, Kuykendall, Martin, McKinney, Stout, Thompson, Tebbs, Vaughan and Waterson—14.

Mr. Johnson moved to postpone the further consideration of the bill indefinitely. Carried by

AYES—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Davis, Fain, Johnson, Kuykendall, Laws, Martin, Reese, Stout, Spratt, Thompson, Tebbs, Vaughan and White—19.

NAYS—Messrs. Carr, Dolman, Fox, Garrett, Jenkins, Kirk, McKinney, O'Driscoll, Randall, Walker, Waterson and Young—12.

By leave, Mr. Tebbs was allowed to change his vote.

Message from the Council by Mr. Grover, Clerk:

I am instructed by the Council to inform the House that the Council has passed House bills of the following titles:

No. 91—An act to incorporate the city of Atchison.

No. 88—An act to incorporate the Woodson Town Company.

And Council bills of the following titles:

An act to locate a Territorial road from Prairie City to the city of Lecompton.

An act to establish a Territorial road from the city of Leavenworth to the town of Ossawatamie, via Lawrence and Blanton's bridge.

An act to organize the county of Davis.

An act to amend an act entitled "An act concerning bonds and notes."

And House bill—

No. 90—An act supplemental to an act entitled "An act to declare the military road from Fort Leavenworth to Fort Laramie a Territorial road," has been indefinitely postponed.

And that the President of the Council has signed House bills of the following titles:

An act repealing the 12th section of an act to punish offences against slave property.

An act to incorporate the Missouri River and Rocky Mountain Railroad Company.

An act to amend an act entitled "An act to provide for the recovery of debts by attachment."

An act to incorporate the Palmetto Town Company.

An act to incorporate the Roseport Town Company.

An act to view and locate a Territorial road from Lecompton to Roseport, Doniphan county.

An act to establish a Territorial road from St. Mary's Mission to Fort Riley.

An act to locate a Territorial road from Council City to the town of Columbia, in Breckenridge county.

An act to locate and establish a Territorial road from Doniphan to the Kansas and Nebraska line opposite Ray's ferry, via Iowa Point, K. T.

An act to incorporate the Kansas Locating Association.

An act to locate a Territorial road from the town of Lecompton via Paola, via Paris, via Miami, to Barnsville, on the Little Osage, Bourbon county.

An act to authorize Hugh Cameron to keep a ferry.

An act to declare the military road from Fort Riley north-west to the Nebraska line, a Territorial road.

An act to establish a Territorial road and highway along the valley of the Big Blue river.

And Council bill—

An act to incorporate the town of Bloomington.

And that the following bills have been introduced into the Council:

An act to define the duties of sheriffs and collectors of the public revenue.

An act to provide for filling vacancies in office.

An act prescribing compensation to county treasurers.

An act to incorporate the Palermo and St. Joseph Railroad Company.

An act to incorporate the Nebraska, Kansas and Gulf Railroad Company.

Mr. Jenkins moved that the House adjourn to 2½ o'clock, P. M. Carried by

Ayes—Messrs. Davis, Dolman, Fox, Johnson, Jenkins, Kuykendall, Laws, Martin, McKinney, Reese, Stout, Spratt, Thompson, Tebbs, Vaughan, Waterson, Walker and White—18.

Nays—Messrs. Speaker, Anderson, O. H. Browne, Butcher, Bernard, Brantly, Carr, Fain, Garrett, Kirk, O'Driscoll, Randall and Young—13.

EVENING SESSION.

House met pursuant to adjournment.

The Committee on Roads and Highways, to whom was referred House bill No. 44, entitled "An act to establish a Territorial road from Willow Springs to Lecompton," beg leave to report the same to the House, and recommend its rejection.

JAS. KUYKENDALL, Chairman.

Agreed to.

The Committee on Roads and Highways, to whom was referred House bill to establish a Territorial road from Lecompton to Richmond, have agreed to report the same back to the House, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill to incorporate the Topeka Bridge Company, have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Agreed to.

The bill on suspension of rules, was read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill to establish a Territorial road from Big Springs to Council Grove, have had the same under consideration, and report it back to the House, and recommend its passage.

JAMES KUYKENDALL, Ch'n.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

Mr. Kuykendall offered the following minority report:

A member of the Committee on Roads and Highways, to whom was referred the petition to charter a ferry at the town of Atchison, begs leave to make the following minority report. Not being able to agree with a majority of said committee, he wishes briefly to state the reasons which have governed him in his conclusions.

By the act of the last Legislature, entitled "An act to establish a ferry at the town of Atchison, in the county of Atchison and Territory of Kansas," the right to keep a ferry across the Missouri river at the town of Atchison was granted to George M. Million, Lewis Burns, Daniel D. Burns, James D. Burns and Calvin F. Burns, their heirs and assigns, upon certain terms mentioned in said act.

The Legislature, as the undersigned believes, can not grant the same right and privileges to two different persons, or companies, at the same time. The first grant must prevail until it is rendered, inoperative by legal adjudication —by some competent judicial tribunal. The right of the persons named in the act referred to, their heirs and assigns, will hold the privileges conferred, unless they have forfeited the same in the manner mentioned in the act, the 7th section of which, provides that a non-compliance with the provisions of this act shall work a forfeiture of this charter.

The committee had not the slightest evidence before them that any such forfeiture has accrued.

The undersigned believes, in view of the provisions of this charter, that the question of forfeiture involves matters of fact and law, and must be decided by the courts, and not by the Legislature. Until the contrary appears by legal evidence, the corporators named must be presumed to have complied with the requirements of the charter; because it is understood, to be a presumption in law, that every man, and every corporate body, has performed his or its duty, until the contrary is shown by proof. That legal proceedings may have been instituted, and be now pending in court, in which it may be alleged that the charter has been forfeited, does not take away or weaken the presumption.

It by no means follows, that every plaintiff in legal proceedings has a right to recover what he asks.

The undersigned believes that the Legislature at its last session exhausted all their power over the subject, and can not now legislate further on it, nor until it shall have been made to appear that the first grant has reverted to the Territory by forfeiture.

For the reasons given, the undersigned recommends the rejection of the prayer of the petition.

JAS. KUYKENDALL.

Message from the Council by Mr. Grover, Clerk:

I am instructed by the Council to inform the House, that the President of the Council has signed Council bills of the following titles:

An act to declare the Military road, from Fort Leavenworth to Fort Laramie a Territorial road,

An act to amend an act entitled "An act concerning forcible entries and detainers."

An act to declare a military road a public highway and Territorial road.

An act to punish horse stealing.

An act to incorporate the inhabitants of the town of Doniphan, in Doniphan county.

An act to establish a Territorial road.

An act to incorporate the Leavenworth Lyceum.

An act to amend an act entitled "An act concerning plats of towns and villages."

An act to incorporate a ferry at Ogden, Kansas Territory, on the Kansas river.

An act to incorporate the Ogden Town Company.

Majority Report of Committee on Roads and Highways.

The Committee on Roads and Highways, to whom was referred the petition of citizens of Atchison, that a ferry charter might be granted to W. L. Challis, Luther M. Challis, and others, the counter-petition of George M. Million, Lewis Burns, and others, and a bill to be entitled "An act to establish a ferry at the town of Atchison," have had the same under consideration, and beg leave respectfully to report:

Your committee find that at the last session of the Legislature a charter was granted to George M. Million, Lewis Burns, Daniel D. Burns, James N. Burns and Calvin F. Burns, for twenty years, upon certain conditions; one of which was, that they should keep "a good substantial boat, or boats, adapted to the wants of the public, at Atchison; the said boat, or boats, to be properly manned and attended, and propelled by steam, and kept in good repair." By a transcript from the record of the Board of County Commissioners of said county, your committee find that on the 21st of July proof was adduced to the satisfaction of the Board, that no steam ferry boat had been running, or in use, at the point aforesaid, since the first day of that month; and the Board were satisfied that the charter granted to Million, Burns, &c., had been forfeited thereby. They therefore issued a license to W. L. Challis and others, the parties now seeking a charter, to keep a ferry at that place for twelve months. Shortly afterwards, the parties thus licensed sued out of the Probate Court of the said county an injunction to restrain the grantees of the charter from keeping a ferry there any longer, which has not yet been heard. By this proceeding, your committee are informed and believe that the rights of the parties under the charter, and the license, respectively, will be put in issue; but the validity of the charter will in nowise be affected by the result, nor is it competent for any court to vacate it upon such process.

The proper legal steps have not yet been taken to have it declared forfeited, and an entirely different proceeding will be necessary for that purpose. In the meanwhile the people of Atchison county, who have been and still are suffering much inconvenience from the want of a suitable ferry, have found an opportunity to acquire one; and, considering the old charter as in fact forfeited, though still having a technical legal existence, petition that a new one be granted without regard to the old. Upon this the question arises, "Can the Legislature comply with their wishes, without interfering with privileges previously granted, or taking upon themselves to decide whether those privileges have been forfeited?" Your committee think that they can, by inserting in the bill before them a proviso protecting the rights of the former grantees. This would leave them in precisely the position that they now occupy, subject only to the decision of the courts, and would give the other party no rights or powers until the old charter had been vacated by the proper legal tribunal.

And your committee respectfully suggest, that if, in the opinion of this House, the course recommended would have that effect, it should be pursued. The petition which was presented and read, and which your committee have carefully examined, sets forth a case which urgently demands relief; and it is signed by so large and respectable body of citizens of Atchison county, that your committee think its prayer should by all means be granted, if possible. They therefore report the bill back to the House, with the following amendment: add

"Sec. 7. *Provided*, That nothing herein contained shall be so construed as to defeat or impair, in any way, the rights, powers and privileges heretofore granted to George M. Million, Lewis Burns, Daniel D. Burns, James N. Burns, Calvin F. Burns, their heirs and assigns, by the act passed at the last session of the Legislature, entitled "An act to establish a ferry at the town of Atchison, in the Territory of Kansas."

And, as amended, recommend its passage.

WM. J. YOUNG,
JAMES P. FOX,
T. R. STOUT,
J. R. FAIN.

Mr. Kirk moved that the report of the majority be agreed to.

Mr. Anderson moved, as a substitute, that the report of the minority be agreed to.

A message from His Excellency, by his Private Secretary, was here announced.

Message from the Council, by Mr. Grover, Clerk:

I am instructed to inform the House, that the Council has passed Council bill, amendatory of an act entitled an "Act to provide for the location of Territorial roads in the Territory of Kansas;" and also, to respectfully request the House to furnish the Council the reports of the Adjutant General, Inspector General, and Master of Convicts.

The minority report was disagreed to by

Nays—Messrs. O. H. Browne, Butcher, Bernard, Carr, Davis, Fox, Fain, Johnson, Jenkins, Kirk, Martin, Randall, Stout, Simmons, Thompson, Vaughan, Waterson and Young—18.

Ayes—Messrs. Speaker, Anderson, Brantly, Kuykendall, McKinney, O'Driscoll, Spratt, Tebbs and Walker—9.

Absent—Messrs. Dolman, Garrett, Laws, Reese and White.

Mr. Anderson moved to postpone indefinitely. Lost by

Nays—Messrs. Speaker, O. H. Browne, Carr, Davis, Fox, Fain, Johnson, Jenkins, Kirk, Martin, Randall, Stout, Simmons, Thompson, Vaughan, Waterson and Young—17.

Ayes—Messrs. Anderson, Butcher, Bernard, Brantly, Kuykendall, McKinney, O'Driscoll, Spratt, Tebbs and Walker—10.

Absent—Messrs. Dolman, Garrett, Laws, Reese and White.

The majority report was agreed to by

Ayes—Messrs. O. H. Browne, Butcher, Carr, Davis, Fox, Fain, Garrett, Johnson, Jenkins, Kirk, Martin, Reese, Randall, Stout, Simmons, Thompson, Vaughan, Waterson and Young—19.

Nays—Messrs. Speaker, Anderson, Bernard, Brantly, Kuykendall, McKinney, O'Driscoll, Spratt, Tebbs and Walker—10.

Absent—Messrs. Dolman, Laws and White.

The amendment, by suspension of rules, was read a second time, and bill, as amended, ordered to be engrossed and read a third time to-morrow.

The Committee on Judiciary, to whom was referred Council bill No. 37, "to repeal all laws requiring test oaths not authorized by the organic act," have had the same under serious consideration, and beg leave to report:

The ambiguity of the bill renders it a nullity. It is in the following words: "that all laws requiring the administration, or taking any oath by any civil or military officer, voter, or other person, other and further than is required by the Constitution of the United States, and the act of Congress organizing the Territories of Kansas and Nebraska, be and the same are hereby repealed."

All repealing laws should designate the acts repealed, by their title, or such other distinguishing characteristics as may preclude the possibility of a doubt as to the intention of the Legislature. The bill is only an amplification of its title, equally indefinite and uncertain. Should it become a law, the existence of any such acts as those sought to be repealed would still be a question for adjudication. The committee, however, will not attempt to affect to misunderstand the Council; but they are unanimously of the opinion that the oaths prescribed in the 11th section of "An act to regulate elections," and the 1st section of "An act regulating oaths and prescribing the forms of oaths of office," are not merely authorized, but required by the organic law of this

Territory. The elector and the officer are required by the Kansas statutes to take an oath that they will sustain and support the Fugitive Slave laws of 1793 and 1850.

The 23d section of the act organizing the Territory of Kansas provides, "that the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the *provisions of this act.*"

What are the provisions of this act? The 28th section declares that the Fugitive Slave laws of 1793 and 1850 shall extend to, and be in *full force* in the Territory. Then, is not an oath to supplant the organic act equivalent to an oath to support the Fugitive Slave laws? "What mighty difference can there be?" The committee deem it impossible to escape the force of the argument in favor of existing test oaths as applied to foreigners. And shall the Legislative Assembly of Kansas require legal foreigners to take an oath not required of native traitors?

The committee have unanimously instructed the undersigned to recommend the rejection of the bill.

O. H. BROWNE.

The report was, on motion, ordered to be printed, and made the order of the day for Saturday.

The Committee on Banks, to whom have been referred the various bills to establish banks at different points in the Territory, have studied the subject with much care and deliberation; and at the same time that they would acknowledge the soundness and justice of the provisions of many of the bills presented, yet your committee can not but foresee the confusion that would arise in the currency of the Territory by the creation of too great variety and too great number of individual banks.

Your committee believe it to be the duty of the government of the Territory to bestow its favors upon its own citizens, to the exclusion of those of other countries, whenever the public weal is not injured thereby; and further, they believe that the establishment of banks, owned and governed by the citizens of other countries, might have a tendency to drain our Territory of gold and silver by its removal to foreign points; therefore, your committee would present the accompanying bill as a substitute for the whole of the bills which have been referred, and recommend its passage as a safe and just system for the people, securing uniformity in the currency of the Territory, giving to all points of our country a due proportion of banking capital, while it secures to our own citizens the advantages to be derived from the chartering of banks, and insures us the control of our own currency.

W. H. TEBBS, Chairman.

The bill was then, on motion, read a first time by its title, also a second time, and then ordered to be printed, and made the order of the day for

Monday next. Title of the bill: "A bill to incorporate the Kansas Valley Bank."

Mr. Anderson introduced the following concurrent resolutions:

Resolved by the House of Representatives of the Territory of Kansas, (the Council concurring,) 1. That the independence of the Judiciary is one of the main pillars in the temple of American freedom, and any interference with its functions by a co-ordinate branch of the government is inconsistent with and subversive of the fundamental principles of our government, and imminently perilous to the liberties of the people.

2. *Resolved*, That the interference by the Executive of the Territory of Kansas with the proceedings of the U. States Judge, Samuel D. Lecompte, whilst engaged in the discharge of his judicial functions in the case of Chas. Hayes, can only be regarded by right-minded and sober-thinking men as an anti-republican and despotic assumption of power, without a parallel in the history of our government, and must be viewed with the most unqualified censure.

3. *Resolved*, That a new era has been installed in the history of our country when any judicial officer, to say nothing of so honest, high-minded and capable a public functionary as Hon. Samuel D. Lecompte, late Chief Justice of the United States Court for the Territory of Kansas, is removed merely because his judicial decisions are at variance with the private opinions of the Executive of Kansas; and that it is to be sincerely regretted that President Pierce, most of whose public acts have been characterized by wisdom and fairness, should have been led into so serious an indiscretion as the arbitrary removal of so trustworthy and faithful a Judge, whose only fault was that he dared to preserve the Judiciary unsullied from the encroachments of an usurping Executive.

4. *Resolved*, That we memoralize the President, as an act demanded by justice and right, to reinstate Judge Lecompte.

5. *Resolved*, That a copy of these resolutions be sent to the President of the United States, the President of the Senate and the Speaker of the House of the United States Congress.

The resolutions were read, and ordered to be printed, and made the order of the day for Saturday.

The subjoined message from the Governor was read.

Gentlemen of the House of Representatives of Kansas Territory:

I have the honor to return, with my approval, the following bills, to-wit:

An act to locate a Territorial road from the town of Lecompton, via Paola, via Paris, via Miami, to Barnsville, on Little Osage, in Bourbon county.

An act to incorporate the Roseport Town Company.

An act to incorporate the Palmetto Town Company.

An act to incorporate a Territorial road from Council City to the town of Columbia, in Breckenridge county.

An act to establish a Territorial road from St. Mary's Mission to Fort Riley.

An act repealing the 12th section of an act to punish offences against slave property.

An act to view and locate a Territoral road from Lecompton to Roseport, in Doniphan county.

An act to declare the military road from Fort Riley north-west to the Nebraska line, a Territorial road.

An act to incorporate the Kansas Locating Association.

An act to locate and establish a Territorial road from Doniphan to the Kansas and Nebraska line opposite Ray's ferry, via Iowa Point, Kansas Territory.

An act to establish a Territorial road and highway along the valley of the Big Blue river.

An act to authorize Hugh Cameron to keep a ferry.

An act to incorporate the Missouri River and Rocky Mountain Railroad Company.

JNO. W. GEARY,
Governor of Kansas Territory.

LECOMPTON, K. T., Feb'y 5th, 1857.

The House then adjourned.

FRIDAY, FEBRUARY 6, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent:

Messrs. O. H. Browne and Laws.

SICK—Mr. Spratt.

The Journal of yesterday was read and approved.

Mr. Waterson introduced a petition from sundry citizens of Doniphan county, praying for a road from Palermo to Fort Riley. Read and referred to the Committee on Roads and Highways.

The Committee on Internal Improvements, to whom was referred Council bill No. 35, entitled "An act to authorize the formation of Railroad Associations, and to regulate the same," ask leave to report the same back, and recommend its passage with the following amendment:

In section 27, amend by inserting the words "not less," after the words "shall be," so as to read "shall not be less."

W. H. JENKINS, Chairman.

Agreed to.

By suspension of rules, the amendment was read a second time, and the bill, as amended, was considered as engrossed, read a third time, and passed.

The Committee on Internal Improvements, to whom was referred Council bill No. 85, entitled "An act in relation to Railroad Companies," ask leave to report the same back, and recommend its passage.

W. H. JENKINS, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time. Mr. Anderson moved to amend by striking out in section 1, "one quarter section," and insert "three." Withdrawn.

Mr. Anderson offered the following amendment by way of rider:

Insert, "provided that the stations shall be, on an average, not less than five miles apart."

Message from the Council by Mr. Grover, Clerk:

I am instructed to inform the House that Council bills of the following titles have passed the Council:

An act to incorporate the Palermo and St. Joseph Railroad Company.

An act prescribing the compensation of county treasurers.

An act to incorporate the Marysville and Palermo Railroad Company.

An act to incorporate the town of Shawnee.

An act to incorporate the Palermo and Lecompton Railroad Company.

Also, the following Council bills have been introduced into the Council:

A bill supplemental to an act to fix the time of holding the Supreme Court.

A bill to incorporate the Eudora Town Company.

A bill to incorporate the town of Shawnee.

A bill amendatory of an act to provide for the location of Territorial roads in the Territory of Kansas.

A bill to establish a Territorial road from the town of Ogden to the town of Tecumseh.

A bill to prevent and punish riots and other violations of the law.

A bill entitled an act to punish rebellion.

A bill to prevent duelling.

A bill to punish slander and libel.

A bill respecting assault.

I am also instructed respectfully to request the House to give the Council what information it has of a Council bill entitled "An act to organize the county of Coffey," which passed the Council a week or more since.

On motion to suspend the rules and read the amendment a second time, it was lost by

NAYS—Messrs. Brantly, Carr, Davis, Dolman, Jenkins, Kuykendall, Kirk, O'Driscoll, Reese, Randall, Stout, Thompson, Tebbs, Walker and Young—15.

AYES—Messrs. Speaker, Anderson, Butcher, Bernard, Fox, Fain, Garvin, Johnson, Martin, McKinney, Simmons, Vaughan, Waterson and White—14.

ABSENT—Messrs. O. H. Browne, Garrett and Laws.

And the bill then passed by

AYES—Messrs. Butcher, Bernard, Carr, Davis, Dolman, Fain, Garvin, Garrett, Jenkins, Kuykendall, Kirk, Martin, O'Driscoll, Stout, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—20.

NAYS—Messrs. Speaker, Anderson, Brantly, Fox, Johnson, McKinney, Reese, Randall, Simmons and White—10.

ABSENT—Messrs. O. H. Browne and Laws.

The Committee on Corporations, to whom was referred House bill to "incorporate the town of Paris, in the county of Linn," have had the same under consideration, and respectfully beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the bill was considered as engrossed, and read a third time, and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Sprattsville Town Company, in Bourbon county," have had the same under consideration, and recommend its passage without amendment.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the bill was considered engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the town of Agnes city, in Breckenridge county," have had the same under consideration, and beg leave to report the same to the House with the following amendment:

Sec. 5. Provided nothing herein contained shall be construed to conflict with the provisions of an act of Congress relating to the pre-emption of town sites.

And, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the amendment was read a second time, and the bill, as amended, ordered to be engrossed, and read a third time to-morrow.

The Committee on Corporations, to whom was referred House bill to incorporate the Atchison Hotel Company, have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time, and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Palermo Town Association, have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage with the following amendment:

Sec. 5. Provided nothing herein contained shall be construed to conflict with the act of Congress in relation to pre-emption of town sites.

B. F. SIMMONS, Chairman.

Agreed to.

By a suspension of rules, the amendment was read a second time; the bill, as amended, considered engrossed, read a third time, and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Greenwood Town Company, have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Ch'n.

Agreed to.

By suspension of rules, the bill was considered engrossed, read a third time and passed.

The Committee appointed to examine the Journal of this House, and correct any errors that may be found therein, beg leave respectfully to report:

That they have no means of ascertaining whether the Journal has been correctly kept or not, as the only vouchers for its accuracy are the original papers and the endorsements thereon. If they correspond with the Journal, even though erroneous, there is nothing to show the existence of error. The memory of the committee or of members, unless where attention has been specially called to the proceeding in question, can not be relied upon sufficiently to justify an alteration in the written records. The committee therefore have not felt authorized to make any change except in the one instance, when this House unanimously confirmed the charge of inaccuracy made by one of its members—the case of bill No. 21, entitled "An act repealing an act supplementary to an act to provide for the collection of revenue," which was reported to the Council as having passed this House. In that case the entry has been made to conform to that decision.

Your committee can not dismiss this subject without expressing their full and entire confidence in the integrity of the Clerks of this House; and their belief, that, if mistakes have occurred, they have arisen from the irregularity with which business is frequently done; and a want of familiarity upon the part of those officers with the detail of parliamentary practice.

JOSEPH P. CARR, Ch'n.

Agreed to.

The following bills were introduced, read a first time, and, on suspension of rules, read a second time by their titles, and referred to their appropriate committees, to-wit:

By Mr. Waterson—An act to incorporate the Palermo Insurance Company. Referred to Committee on Corporations.

By Mr. O'Driscoll—An act to incorporate the Kansas Land Agency Company. Referred to Committee on Corporations.

By Mr. Thompson—An act to amend an act to incorporate the city of Leavenworth. Referred to Committee on Judiciary.

By Mr. White—An act to lay out and establish a Territorial road from Paola to Fort Scott. Referred to Committee on Roads and Highways.

By Mr. Waterson—An act to incorporate the St. Bernard Town Company. By suspension of rules, the bill was considered engrossed, read a third time and passed.

By Mr. Butcher—An act to incorporate the Town of Wheatland, in the county of Douglas. Referred to Committee on Corporations.

By Mr. Vaughan—An act to incorporate the Brownville Town Company. By suspension of rules, the bill was considered as engrossed, read a third time and passed.

By Mr. Martin—An act to locate permanently the seat of justice of Leavenworth county. Referred to Committee on Judiciary.

By Mr. Waterson—An act to locate a Territorial road from Palermo to Fort Riley. Referred to Committee on Roads and Highways.

By Mr. Johnson—An act to incorporate the Franklin Town Company. Referred to Committee on Corporations.

By Mr. Stout—An act amendatory and supplementary to an act to define the boundaries of the several counties in the Territory of Kansas. Referred to Committee on Bounds of Counties and Districts.

The following House bills amended by the Council were taken up, the amendments read a first, second and third time, and concurred in:

A bill to incorporate the Town Company of America. Amended in section 2, by inserting the word "the" after "lay off."

An act to amend an act entitled an act to incorporate the city of Lecompton. Amended by inserting after section 5th, "and the election, appointment and qualification of all the officers of said city is hereby legalized, and the powers granted to them by the charter of said city shall be as valid as if said election had been conducted by appointment in accordance with the act of incorporation."

An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas. "That all reports of surveys of roads and public highways in this Territory shall be made as at present provided by law, within twelve months from the date of the law providing for or establishing such roads; and that twelve months from this date shall be allowed for completing the survey and making returns of roads established by the last General Assembly."

The ayes and nays were demanded, and the amendment was concurred in by

Ayes—Messrs. Anderson, Butcher, Bernard, Carr, Davis, Dolman, Garvin, Garrett, Jenkins, Kuykendall, McKinney, O'Driscoll, Randall, Vaughan, Waterson and Walker—16.

Nays—Messrs. Speaker, Brantly, Fox, Fain, Kirk, Martin, Reese, Stout, Simmons, Tebbs, White and Young—12.

Absent—Messrs. O. H. Browne, Johnson, Laws and Thompson.

An act to charter a ferry at Calhoun, K. T. Amended by adding to 1st section, "*Provided*, that this act shall not give to said Kuykendall any right to keep a ferry, or have a landing on the lands of any other persons, without their consent."

A bill to locate a Territorial road from Doniphan, via Iowa Point, to the Kansas and Nebraska line opposite Ray's ferry. Add, "This act to take effect and be in force from and after its passage."

A bill to incorporate the city of Iowa Point. Amend section 1st by striking out the first three words, "all the Territory," and insert "all the inhabitants." In the fourth line of same section, insert after "the" the words "inhabitants of the." Add to the end of same section, "of a similar character." Amend section 3rd by striking out "charter," and insert "act."

Council Bills.

The following Council bills were read a first time, and, by suspension of rules, were read a second time by their titles, and referred.

An act more particularly to define the boundaries of the several counties of the Territory of Kansas. Referred to Committee on Bounds of Counties and Districts.

An act to organize the county of Davis. Referred to Committee on Bounds of Counties and Districts.

An act to incorporate the Palermo and Lecompton Railroad. Referred to Committee on Internal Improvements.

An act prescribing the compensation of County Treasurers. Referred to Committee on Finance.

An act to incorporate the Marysville and Palermo Railroad Company. Referred to Committee on Internal Improvements.

An act to incorporate the town of Shawnee. Referred to Committee on Corporations.

Mr. Waterson moved that the House adjourn to 2½ o'clock, P. M. Lost.

On motion of Mr. Anderson, the House then adjourned to 2 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

The following Council bills were read a first time, and, on suspension of rules, read a second time by their titles, and referred.

An act to establish a ferry at Wyandott City. Referred to Committee on Roads and Highways.

An act to incorporate the Palermo and St. Joseph Railroad Company. Referred to Committee on Internal Improvements.

An act amendatory of an act concerning strays. Referred to Committee on Agriculture.

An act to incorporate the Kansas Female Collegiate Institute. Referred to Committee on Education.

An act to locate a Territorial road from Marysville to Council Grove. Referred to Committee on Roads and Highways.

An act for the relief of J. W. Smith. Read a third time by suspension of rules, and passed.

An act for the better protection of Luther M. Carter and Tecumseh Town Association. Referred to Committee on Judiciary and Criminal Jurisprudence.

An act to incorporate Breckenridge College. Referred to Committee on Education.

An act to establish a Territorial road from the city of Leavenworth to Ossawatamie, via Lawrence and Blanton's Bridge. Referred to Committee on Roads and Highways.

An act to locate a Territorial road from Prairie City to Lecompton. Referred to Committee on Roads and Highways.

An act amendatory of an act to regulate proceedings in criminal cases. Referred to Committee on Judiciary.

An act to amend an act concerning bonds and notes. Referred to Committee on Judiciary.

An act to incorporate the Eastern Kansas and Gulf Railroad Company. Referred to Committee on Internal Improvements.

An act to incorporate the Lawrence Bridge Company. Referred to Committee on Roads and Highways.

An act supplemental to an act to incorporate the Leavenworth, Pawnee and Western Railroad Company. Referred to Committee on Internal Improvements.

An act to authorize Judges of the Probate Court to take acknowledgment and proof of deeds and other instruments, and to confirm certain acts of the same. Read a first time.

Mr. Dolman moved to suspend the rules, in order that he might make a report.

Message from the Council, by Mr. Grover, Acting Clerk:

That the Council have concurred in section 4, as amendment to Council bill, "An act to define the several Judicial Districts of the Territory of Kansas," and that the Council have disagreed to amendment by way of rider sections 5 and 6, and have substituted therefor the following: Insert after the word "Atchison," in section 1st, "and Arapahoe counties, and all that portion of territory lying between the counties of Marshall, Riley, Davis, Wise, Butler and Hunter, and the said county of Arapahoe." Further, amend section 1st by striking out "Calhoun," and insert after the word "Shawnee," in section 2, the word "Calhoun."

Mr. Dolman's motion was carried by

AYES—Messrs. Speaker, Anderson, Butcher, Bernard, Carr, Davis, Dolman, Fain, Garvin, Jenkins, Kuykendall, Reese, Randall, Stout, Simmons, Thompson, Vaughan, Waterson and Young—19.

NAYS—Messrs. Brantly, Fox, Kirk and O'Driscoll—4.

ABSENT—Messrs. O. H. Browne, Garrett, Laws, Spratt, Walker and White.

A majority of the Special Committee, to whom was referred House bill incorporating the Missouri River and Nemaha Valley Railroad Company, have had the same under consideration, and beg leave to report the same back with the following amendments, and recommend its passage:

In section 7, after "Missouri River," insert "within the limits of Doniphan county."

In section 8, after Railroad, insert "within the Territory."

In section 9, strike out the word "ten" and insert "seven."

C. DOLMAN, Ch'n.

Agreed to.

By suspension of rules, the amendments were read a second time, and a third time by suspension of rules, and the bill passed.

The following Council bills were read a first time, and, on suspension of rules, were read a second time by their titles, and referred.

An act amendatory of an act concerning strays. Referred to Committee on Agriculture.

An act amendatory of an act to regulate executions. Referred to Committee on Judiciary.

An act providing for the organization of incorporations. Referred to Committee on Judiciary.

An act to incorporate the Buchanan Town Company. Referred to Committee on Corporations.

An act to incorporate the Ottawa Town Company. Referred to Committee on Corporations.

An act to incorporate the Claytonville Town Company. Referred to Committee on Corporations.

Council bill No. 92, entitled "An act to authorize Judges of the Probate Courts to take the acknowledgment and proof of deeds and other instruments, and to confirm certain acts of the same," was read a second time by its title, and referred to Committee on Judiciary.

The following Council bills were read a first time, and, on suspension of rules, were read a second and third time, and passed:

An act amendatory of an act to provide for the location of Territorial roads in the Territory of Kansas.

An act to define the duties of sheriffs and collectors of the revenue.

On motion of Mr. Anderson, the rules of the House were changed as follows:

Article 5, section 5, in place of "and every bill of more than one page of manuscript shall be printed as a matter of course, unless otherwise ordered by the House," and insert "and no bill shall be printed unless ordered by the House, or the Committee on Public Printing; and it shall be the duty of the Committee on Public Printing to report to the House all bills printed by order of said Committee."

On motion, the Council bill "to re-organize the Judicial Districts of the Territory of Kansas" was taken up, and the amendments by way of substitute were read a first, second and third time, and agreed to by the House, and the bill then passed.

The Committee on Enrolled and Engrossed bills have examined bills of the following titles:

An act to establish a ferry at Atchison, in Atchison county.

An act to incorporate the Buffalo Town Association, in K. T.

An act to establish a Territorial road from opposite St. Joseph, Mo., to St. George, in K. T.

An act to amend an act to provide for the pay of officers and others.

And, an act regulating actions.

And report the same as truly engrossed.

W. A. M. VAUGHAN, Act. Ch'n.

By suspension of rules, the following reports were made:

The Committee on Corporations, to whom was referred House bill No. 7, "An act to incorporate the city of Topeka," have had the same under consideration, and beg leave to report the same back to the House, with the following amendments:

After the word "boundaries" in second line, insert "in Shawnee county." In section 3, third line, strike out the word "present," and insert "last," and, as amended, recommend its passage.

B. F SIMMONS, Ch'n.

Agreed to.

By suspension of rules, the amendments were read a second time, and the bill considered engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Big Springs Town Association," have had the same under consideration, and beg leave to report the same without amendment, and recommend its passage.

B. F. SIMMONS, Ch'n.

Agreed to.

By suspension of rules, the bill was considered engrossed, read a third time by its title, and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the city of Palermo," have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Ch'n.

Agreed to.

By suspension of rules, the bill was considered engrossed, read a third time by its title, and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Town Company of Wyola," have had the same under consideration, and beg leave to report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Ch'n.

Agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time by its title, and passed.

On motion of Mr. Stout, the rules were suspended, and engrossed bills on their third reading taken up, to-wit:

An act to establish a ferry at Atchison.

Mr. Anderson moved a call of the House. The roll was called, and then, on motion, further proceedings of the call was dispensed with.

The bill was then read a third time, and passed by

AYES—Messrs. Speaker, Butcher, Carr, Davis, Dolman, Fain, Garvin, Garrett, Johnson, Jenkins, Kirk, Reese, Stout, Simmons, Thompson, Vaughan and Waterson—17.

NAYS—Messrs. Anderson, Bernard, Brantly, Kuykendall, Martin, McKinney, O'Driscoll, Randall, Tebbs, Walker and White.—11.

ABSENT—Messrs. O. H. Browne, Laws and Spratt.

An act to amend an act to provide for the pay of officers and others. Read a third time.

Mr. Waterson moved to amend by striking out in first section, "after having travelled five miles."

A motion to suspend the rules to read the amendment a second time was lost.

The bill was then passed.

Mr. Jenkins moved that the House adjourn to 7½ o'clock, P. M. Lost.

On motion of Mr. Stout, the House then adjourned.

SATURDAY, February 7, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent:

Messrs. O. H. Browne, Garrett, Jenkins and Walker.

The Journal of yesterday was read and approved.

The Special Committee, to whom was referred a bill to be entitled "An act to incorporate the Atchison and Lecompton Railroad Company," have had the same under consideration, and beg leave to report the accompanying bill as a substitute therefor, and recommend its passage.

JOSEPH P. CARR, Ch'n.

Agreed to.

The bill was read a first time, and, by suspension of rules, it was read a second time by its title, considered engrossed, read a third time by its title, and passed.

By leave, Mr. Thompson introduced a bill to authorize the City of Lecompton to issue bonds. Read a first time, and, on suspension of rules, was read a second time by its title, and referred to the Committee on Judiciary.

By leave, Mr. Thompson introduced a bill to incorporate the Lecompton Building Association. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Corporations.

Mr. Simmons moved to take up the majority and minority reports of the Committee on Banks. Lost.

By leave, Mr. O'Driscoll introduced a bill to establish a Territorial road from Doniphan to Claytonville, in Browne county. Read a first time, and by suspension of rules, was read a second time by its title.

A motion was made to suspend the rules in order that the bill might be read a third time. Lost.

It was referred to the Committee on Roads and Highways.

By leave, Mr. Waterson introduced a bill repealing certain oaths. Read a first time, and, by suspension of rules, the bill was read a second time by its title.

Mr. Anderson moved to suspend the rules that the bill might be read a third time.

Message from the Council by Mr. Grover, Assistant Clerk:

I am instructed to inform the House that House bills "to declare valid the official acts of W. T. Sherrard, and make valid his appointment to the office of sheriff of Douglas county," and "An act supplemental to an act to declare the military road from Fort Leavenworth north to Fort Laramie a Territorial road," were rejected by the Council.

That Council bills of the following titles have passed the Council:

An act to punish slander and libel.

An act to punish rebellion.

An act to prevent and punish riots and other violations of law.

An act supplemental to an act to fix the time of holding the Supreme Court.

Also the following House bills:

A bill to incorporate the city of Manhattan.

An act to incorporate the Newcastle Coal and General Mining Company.

An act to detach the county of Browne from the county of Doniphan, and to organize Browne county.

Also have passed Council bill, "An act to incorporate the Lenora Town Association.

And that Council has passed a substitute for Council bill No. 39, "An act to amend in some parts an act concerning corporations."

Mr. Anderson's motion to suspend the rules was lost by

AYES—Messrs. Anderson, Butcher, Bernard, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, Reese, Randall, Stout, Vaughan, Waterson, Walker and White—16.

NAYS—Messrs. Speaker, O. H. Browne, Brantly, Carr, Garrett, Johnson, Jenkins, Kirk, Martin, McKinney, O'Driscoll, Spratt, Simmons, Tebbs and Young—15.

ABSENT—Messrs. Fain and Thompson.

Mr. O'Driscoll moved to refer the bill to a special committee of five.

Mr. Brantly moved as a substitute that the bill be laid over and made the special order for Monday.

Mr. Anderson moved as a substitute to the substitute that the House resolve itself into Committee of the Whole on the bill.

Mr. Johnson moved that the House adjourn to 2½ o'clock, P. M. Carried by

AYES—Messrs. O. H. Browne, Butcher, Bernard, Brantly, Carr, Davis, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Randall, Spratt, Simmons, Tebbs and Young—20.

NAYS—Messrs. Speaker, Anderson, Dolman, Fox, Garvin, O'Driscoll, Reese, Stout, Vaughan, Waterson, Walker and White—12.

ABSENT—Mr. Thompson.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Anderson withdrew (by leave) his substitute to Mr. Brantly's motion, and offered therefor a motion that the bill be referred to committee of Messrs. Waterson, Dolman, O. H. Browne, Kuykendall and Vaughan.

Mr. Jenkins moved as a substitute that the House proceed to elect five members as a committee to whom the bill shall be referred, which prevailed.

Mr. Anderson moved that Mr. Waterson be selected as chairman.

Mr. Johnson moved as a substitute that the House proceed to ballot for five. Lost.

Mr. Jenkins moved as a substitute that the roll be called and each member name five, and the five receiving the highest number of votes be the committee; which prevailed.

And the committee so selected were Messrs. Anderson, Waterson, Kuykendall, Carr and Simmons.

Mr. Carr asked leave to withdraw the petition and papers relative to Atchison ferry.

Mr. Anderson, by leave, introduced a bill to incorporate the Sebastian Town Association. Read a first time, and, by suspension of rules, was read by its title a second time, and considered engrossed, read a third time and passed.

Mr. Anderson, by leave, introduced a bill to incorporate the Neoma Town Association. Read a first time, and, by suspension of rules, was read a second time by its title, and the bill considered engrossed, read a third time and passed.

Mr. Kuykendall, by leave, introduced a bill defining the boundaries of Coffey county. Read a first time, and, by suspension of rules, was read a second time by its title, and referred to the Committee on Bounds of Counties and Districts.

By leave, Mr. O'Driscoll introduced "A bill to amend an act to prevent the firing of woods, prairies and marshes." Read a first time, and, by suspension of rules, was read a second time, and considered as engrossed, read a third time, and passed.

Messrs. Carr and Simmons were excused from serving on special committee.

Mr. Waterson moved to excuse all the committee. Lost.

Mr. Anderson moved to excuse the remainder of the committee from serving on said committee. Carried.

Mr. Anderson moved to reconsider the vote committing the bill to a select committee. Carried.

On motion of Mr. Anderson, the House resolved itself into Committee of the Whole, having under consideration the bill in regard to test oaths, Mr. Waterson in the chair.

After some time thus spent, the Committee rose and made the following report:

The Committee of the Whole House, to whom was referred "A bill repealing certain oaths," have had the same under consideration, and beg leave to report a bill as a substitute therefor, and recommend its passage.

T. W. WATERSON, Ch'n.

Agreed to.

"A bill prescribing oaths for officers and others in the Territory of Kansas," was taken up, read a first time, by suspension of rules, was read a second time by its title, and considered as engrossed, read a third time, and passed by

Ayes—Messrs. Speaker, Anderson, O. H. Browne, Bernard, Brantly, Carr, Davis, Dolman, Fain, Garvin, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Martin, O'Driscoll, Reese, Randall, Stout, Simmons, Tebbs, Vaughan, Waterson, Walker, White and Young—27.

Nays—Messrs. Butcher, McKinney, Spratt and Thompson.—4.

Mr. Brantly moved to reconsider. Lost.

On motion, the House then adjourned.

MONDAY, February 9th, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following member was absent—Mr. O'Driscoll. Sick—Mr. Simmons.

The Journal of yesterday was read and approved.

By suspension of rules, Mr. Anderson offered the following resolution:

Resolved, That the Governor be respectfully requested to inform this House, with as little delay as possible, whether he has appointed any county officers in this Territory; and if any, who, and to what office; whether he has commissioned any, and under what authority of law said appointments were made. Adopted.

Mr. Jenkins moved to suspend the rules, and take up the majority and minority reports on Banks. Carried.

And, on motion, the majority report was agreed to by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Carr, Dolman, Fain, Johnson, Jenkins, Kirk, Martin, McKinney, Randall, Stout, Thompson, Tebbs, Vaughan Waterson, White and Young—21.

NAYS—Messrs. Brantly, Davis, Fox, Garvin, Kuykendall, Laws, Reese and Spratt—8.

ABSENT—Messrs. Garrett, O'Driscoll and Walker—3.

Mr. Kirk moved that the House now take up the report of the Committee on the Judiciary and Criminal Jurisprudence on Council bill "repealing oaths not prescribed by the Organic Act." Carried.

And the report was agreed to.

Mr. Browne of D. moved to take up the report of the Committee on Finance on the Dollar Law. Carried.

The report, on motion, was agreed to.

The Committee on Corporations, to whom was referred Council bill No. 93, entitled "An act to incorporate the Claytonville Town Company," have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

J. C. THOMPSON, Chairman.

By suspension of rules, the bill was read a third time, and passed.

Mr. Thompson, from the same Committee, to whom was referred Council bill No. 76, entitled an "Act to incorporate the Buchanan Town Company," reported the same back to the House with the following amendments:

Section 10. Provided, nothing herein contained shall be construed to conflict with the provisions of an act of Congress in relation to pre-emption of town sites.

And, as amended, recommended its passage.

The report was agreed to.

By suspension of rules, the amendment was read a first and second time, and the bill as amended was ordered to be engrossed, and read a third time to-morrow.

The Committee on Finance, to whom was referred Council bill No. 112, "prescribing the compensation of County Treasurers," report the same without amendment, and recommend its passage.

O. H. BROWNE, Chairman.

Report agreed to.

The Committee on Corporations, to whom was referred Council bill No. 96, entitled "An act to incorporate the Ottawa Town Company," report the same without amendment, and recommend its passage.

J. C. THOMPSON, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and passed.

The Committee on Corporations, to whom was referred Council bill No. 36, entitled "An act to incorporate the Lecompton Improvement Association," have had the same under consideration, and report it back to the House without amendment, and recommend its passage.

J. C. THOMPSON, Acting Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 95, "to establish a ferry at Wyandott city," report the same back to the House without amendment, and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Report agreed to.

By suspension of rules, the bill was read a third time, and, on motion, made the order for Wednesday next.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill, "An act amendatory of an act to regulate executions," report the same back to the House, and recommend its rejection.

D. J. JOHNSON, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and rejected.

The Committee on Roads and Highways, to whom was referred House bill No. 75, "to lay out and establish a Territorial road from Paola to Fort Scott," report the same with the following amendment: after the word "Linn county," strike out "by way of Judge Davis' to Fort Scott," and, as amended, recommend its passage.

J. KUYKENDALL, Chairman.

Report agreed to.

By suspension of rules, the bill was read a first and second time, and re-committed to same committee.

Message from the Council by Mr. Charles Grover, Ass't Clerk:

I am instructed to inform the House that the Council has agreed to House amendment to Council bill, entitled "A bill for the organization of Railroad Associations," and to regulate the same.

And have passed the following House bill:

An act to incorporate the St. Bernard Town Company.

The Committee on the Judiciary and Criminal Jurisprudence, to whom was referred Council bill 213, "An act for the better protection of Luther M. Carter and the Tecumseh Town Association," report the same back to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on the Judiciary and Criminal Jurisprudence, to whom was referred House bill No. 76, "An act to amend an act, entitled 'An act to incorporate the city of Leavenworth,'" report the same back to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and passed.

The Committee on the Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 88, "An act to amend an act to regulate proceedings in criminal cases," report the same back to the House, and recommend its rejection.

D. J. JOHNSON, Chairman.

By suspension of rules, the bill was read a third time.

Mr. Anderson moved to strike out all after the enacting clause. Carried by

Ayes—Messrs. Anderson, Browne of D., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fain, Garrett, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Randall, Spratt, Thompson, Tebbs, Vaughan, Walker, White, Young and Mr. Speaker—25.

Nays—Messrs. Fox, Garvin, Reese and Waterson—4.

Absent—Messrs. Johnson, O'Driscoll and Stout.

And the bill was then rejected.

The Committee on Roads and Highways, to whom was referred House bill No. 77, "to locate a Territorial road from Palermo to Fort Riley," report the bill back to the House and recommend its passage.

JAS. KUYKENDALL, Ch'n.

By suspension of rules, the bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 155, "A bill to incorporate the Lawrence Bridge Company," report the same back to the House and recommend its passage.

JAS. KUYKENDALL, Ch'n.

Report agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 88, "An act to locate a Territorial road from Lodiana to a point opposite St. Joseph," report the same back to the House, and recommend its passage.

JAMES KUYKENDALL, Ch'n.

Report agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 109, "An act to establish a Territorial road from the city of Leavenworth to the town of Ossawatamie, via Lawrence and Blanton's bridge," report the same back to the House and recommend its passage.

JAMES KUYKENDALL, Ch'n.

Report agreed to.

By suspension of rules, the bill was read a third time and rejected.

The Committee on Internal Improvements, to whom was referred Council bill. No. 30, entitled "A bill to incorporate the Marysville, Palmetto and Roseport Railroad Company," report the same back to the House and recommend its passage.

W. H. JENKINS, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and passed.

The Committee on Internal Improvements, to whom was referred Council bill No. 33, "to incorporate the Prairie City and Missouri State Line Railroad Company, report the same back, and recommend its passage, with the following amendment: Strike out the whole of the 14th section, and amend by substituting the following for section 20: "Said company shall commence the said road within ten years from the passage of this act, and shall complete the same within twenty years thereafter."

W. H. JENKINS, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and bill laid over.

The Committee on Roads and Highways, to whom was referred Council bill No. 106, "An act to locate a Territorial road from Marysville to Council Grove," report the same back to the House, and recommend its passage.

JAMES KUYKENDALL, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 3, "An act to incorporate a ferry across the Missouri river at Quindaro," report the same back to the House, and recommend its passage.

JAMES KUYKENDALL, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and made the order for Wednesday.

The Committee on Roads and Highways, to whom was referred House bill No. 42, beg leave to report the same back to the House, and recommend its passage.

JAMES KUYKENDALL, Ch'n.

Report agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time and passed.

The Select Committee, to whom was referred House bill No. 89, "An act to incorporate the Atchison and Fort Riley Railroad Company," have had the same under consideration, and report the accompanying bill as a substitute therefor.

JOSEPH P. CARR, Chairman.

Report agreed to.

By suspension of rules, the bill was read a first, second and third time, and passed.

The Committee on Enrolled and Engrossed Bills have examined the following bills, to-wit:

An act to authorize W. F. and G. M. Dyer to establish a bridge across Grasshopper creek, at the crossing of the Military road at Osawka.

An act to establish a Territorial road from the city of Kickapoo, via Oscaloosa, to Topeka, in the Territory of Kansas. And

An act to incorporate the Carolina Town Company.

And report the same as truly engrossed.

J. C. THOMPSON, Chairman.

Report agreed to.

The following engrossed bills were read a third time, and passed :

An act to authorize W. F. and G. M. Dyer to establish a bridge across the Grasshopper creek, at the crossing of the Military road at Osawka.

An act to establish a Territorial road from the city of Kickapoo, via Oscaloosa, to Topeka.

An act to incorporate the Carolina Town Company.

The following bills were read a first time, and, on suspension of rules, read a second time, and referred.

An act supplemental to an act to fix the time of holding the Supreme Court. Referred to Committee on the Judiciary and Criminal Jurisprudence.

An act to prevent and punish riots and other violations of law. Referred to the Committee on the Judiciary and Criminal Jurisprudence.

An act to punish rebellion. Rules suspended, and the bill read a third time, and passed.

An act to punish slander and libel. Referred to Committee on the Judiciary and Criminal Jurisprudence.

An act to amend certain parts of an act, entitled "An act concerning corporations." Referred to Committee on Corporations.

An act legalizing the acts of the Probate Judge and County Commissioners of Shawnee county. Referred to Committee on the Judiciary and Criminal Jurisprudence.

An act to provide for the filling of vacancies. Referred to Committee on Elections.

An act to organize the county of Coffey. Referred to Committee on Bounds of Counties and Districts.

An act supplemental to an act to incorporate the Kansas River Bridge Company. Referred to Committee on Corporations.

An act to authorize N. B. Blanton to receive tolls. Referred to Committee on Roads and Highways.

An act supplemental to an act to incorporate the Lecompton Bridge Company. Referred to Committee on Corporations.

The House then adjourned to 2½ o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

By suspension of rules, Mr. White offered the following resolution:

Be it Resolved by the House of Representatives, That the atrocious attack made upon the Executive of this Territory, while visiting the members of this House, by a certain William T. Sherrard, is hereby indignantly denounced, and that the Sergeant-at-Arms be instructed to bring the offender to the bar of this House to answer for the offence against a co-ordinant branch of the Government, and that the said Sherrard be excluded hereafter from the privileges of this House.

Mr. Johnson moved to lay the resolution on the table, and the motion was lost by

Ayes—Messrs. Speaker, Anderson, Browne of D., Carr, Johnson, Jenkins, Kirk, Spratt, Simmons and Young—10.

Nays—Messrs. Butcher, Bernard, Brantly, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Randall, Stout, Vaughan, Waterson, Walker and White—18.

Absent—Messrs. Fain, Martin and Thompson—3.

Mr. White withdrew the resolution.

Mr. Waterson re-introduced the resolution, striking out all after the word "denounce."

Mr. Anderson moved to postpone the matter indefinitely. Lost by

Ayes—Messrs. Speaker, Anderson, Browne of D., Carr, Johnson, Jenkins, Kirk, Martin, Spratt, Simmons, Tebbs and Young—12.

Nays—Messrs. Butcher, Bernard, Brantly, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, Laws, McKinney, Waterson, Walker and White—14.

Mr. Tebbs moved that the House adjourn. Lost by

Ayes—Messrs. Speaker, Anderson, Browne of D., Carr, Johnson, Jenkins, Kirk, Martin, Simmons and Tebbs—10.

Nays—Messrs. Butcher, Brantly, Bernard, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Vaughan, Waterson, Walker, White and Young—20.

A message from the Council, by the Chief Clerk:

Mr. Speaker—I am instructed by the Council to inform the House that the President has signed Council bills of the following titles:

An act to change the name of J. S. H. Martin to J. S. H. Burress.

An act supplemental to an act to incorporate the city of Leavenworth.

An act to locate and establish a Territorial road from Paola to intersect the Territorial road from Lecompton to Cofachique at the town of Pierce.

An act to incorporate the Planters' Hotel Company.

An act to establish a Territorial road from Leavenworth to Lecompton, diverging to Lawrence.

An act to establish a Territorial road from the city of Kickapoo to the city of Lecompton.

An act to incorporate the St. George Bridge Company.

Also, introduced and passed a substitute for bill to incorporate the city of Wyandott.

Mr. Anderson offered the following as a substitute:

Resolved, That the House can not consider the difficulty between his Excellency, Governor Geary, and W. T. Sherrard, Esq., for the reason that it is beyond the jurisdiction of this House.

Mr. Fox moved to lay the substitute on the table.

Mr. Kirk moved as a substitute, that the whole matter be laid on the table. Lost by

AYES—Messrs. Speaker, Browne of D., Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Tebbs, Walker and Young—11.

NAYS—Messrs. Butcher, Bernard, Brantly, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Vaughan, Waterson and White—18.

Message from the Council by Mr. Hughes, Chief Clerk:

I am instructed by the Council, to inform the House of the passage of the following Joint Resolution:

Resolved by the Council, the House concurring therein, that neither branch of the Legislative Assembly will entertain any bills introduced after the 14th instant, without the concurrence of both Houses.

Mr. Martin moved that the House now adjourn. Lost by

AYES—Messrs. Speaker, Anderson, Browne of D., Carr, Garrett, Johnson, Jenkins, Kirk, Martin, Simmons and Tebbs—11.

NAYS—Messrs. Butcher, Bernard, Brantly, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Vaughan, Waterson, Walker, White and Young—20.

The motion being on laying the resolution offered by Mr. Anderson on the table, it was carried by

AYES—Messrs. Butcher, Bernard, Brantly, Davis, Fox, Garvin, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Stout, Vaughan, Waterson, Walker and White—16.

NAYS—Messrs. Speaker, Anderson, Browne of D., Carr, Dolman, Johnson, Jenkins, Kirk, Martin, Randall, Spratt, Simmons, Tebbs and Young—14.

Mr. Anderson moved to strike out all after the word, "resolved." Lost.

Mr. O'Driscoll offered the following substitute:

Resolved, That the indignities offered to our Executive, whilst leaving this House, was without the limits, and therefore we can but regret its occurrence, and express our disapproval, and maintain our dignity.

Mr. Fox moved to lay the resolution on the table.

Mr. Anderson called for the previous question, and it was sustained by

AYES—Messrs. Browne of D., Butcher, Bernard, Brantly, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Randall, Stout, Simmons, Tebbs, Vaughan, Waterson, Walker, White and Young—22.

NAYS—Messrs. Speaker, Anderson, Carr, Johnson, Jenkins, Kirk and Martin—7.

And the question being upon the substitute offered by Mr. O'Driscoll, it prevailed by

AYES—Messrs. Speaker, Anderson, Browne of D., Carr, Dolman, Johnson, Jenkins, Kuykendall, Kirk, Martin, McKinney, O'Driscoll, Randall, Stout, Simmons, Tebbs and Young—17.

NAYS—Messrs. Butcher, Brantly, Bernard, Davis, Fox, Garvin, Laws, Reese, Vaughan, Waterson and Walker—11.

And the House then adjourned until 7½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

By suspension of rules, Mr. O'Driscoll made a report from the Committee on Public Buildings, which was ordered to be printed and made the order for Saturday next.

On motion, the House then resolved itself into Committee of the Whole, having under consideration the majority report of the Committee on Banks, and bill to incorporate the Kansas Valley Bank. After sitting some time, the committee rose, and reported, through their Chairman, that they had examined the same, and recommended its passage with the following amendments:

Add to section 7—"And every subscriber shall declare upon oath that he is worth at least twice the amount subscribed by him."

And by adding to section 29—"And in no case shall they be allowed to issue any bills of a less denomination than three dollars."

Amend section 41, by inserting after the word Doniphan, "Thomas Johnson, J. M. Bernard, and M. P. Randall, for the branch at Shawnee."

And add sections as follows:

Section 47. The notes issued by the Kansas Valley Bank and branches shall be redeemed at their respective offices, at any time during banking hours, in gold and silver; and no bill shall be made payable at any other place than at the bank from which issued.

Section 48. If there shall be a failure to redeem any of said notes, any judge, in vacation or in term time, may issue, on complaint being made, an injunction to restrain said bank and branches from transacting any further [business], and from removing any funds or other property from said bank; and it shall be the duty of the Commissioners appointed under the provisions of this act to investigate, as soon as may be, the condition of said bank, and the failure to redeem, in the opinion of the Commissioners, shall declare the charter forfeited, and report the same to the next Legislature thereafter; and publish the same in some newspaper in Leavenworth City, for four successive weeks, so soon as said charter shall have been declared forfeited.

J. C. ANDERSON, Chairman.

Report agreed to.

Mr. O'Driscoll moved still further to amend by adding to 6th section—

"And each stockholder shall be liable for an additional amount equal to his subscription."

And, on motion, the rule was suspended, and the amendment was read a second time, and lost by

Ayes—Messrs. Fain, Garrett, Johnson, Jenkins, O'Driscoll, Reese, Spratt, Tebbs, Waterson, Walker and Young—11.

Nays—Messrs. Speaker, Anderson, Butcher, Carr, Dolman, Fox, Garvin, Kirk, Martin and Thompson—10.

Absent—Messrs. Browne of D., Bernard, Brantly, Davis, Kuykendall, Laws, McKinney, Randall, Stout, Simmons, Vaughan and White—12.

On motion of Mr. Anderson, the rules were suspended and the amendments were read a second time.

Mr. Fox moved to lay the bill on the table. Lost.

Mr. Waterson moved that the House now adjourn. Lost by

Nays—Messrs. Anderson, Butcher, Carr, Fox, Garvin, Garrett, Johnson, Jenkins, Kirk, Martin, O'Driscoll, Reese, Spratt, Thompson, Walker and Mr. Speaker—16.

Ayes—Messrs. Dolman, Fain, Waterson and Young—4.

Absent—Messrs. Browne of D., Bernard, Brantly, Davis, Kuykendall, McKinney, Randall, Stout, Simmons, Vaughan and White—11.

Mr. Anderson moved to suspend the rules in order that the bill might be read. Carried by

Ayes—Messrs. Speaker, Butcher, ~~Carr~~, Fox, Garvin, Garrett, Johnson, Jenkins, Kirk, Martin, O'Driscoll, Reese, Spratt, Thompson, Tebbs and Young—16.

Nays—Messrs. Anderson, Dolman, Waterson and Walker—4.

Absent—Messrs. Browne, of D., Bernard, Brantly, Davis, Kuykendall, McKinney, Randall, Stout, Simmons, Vaughan and White—11.

The bill was then read a third time and passed by

Ayes—Messrs. Speaker, Anderson, Butcher, Carr, Garrett, Johnson, Jenkins, Kirk, Martin, Thompson, Tebbs, Waterson, Walker and Young—14.

Nays—Messrs. Dolman, Fox, Garvin, O'Driscoll, Reese and Spratt—6.

Absent—Messrs. Browne of D., Bernard, Brantly, Davis, Kuykendall, McKinney, Randall, Stout, Simmons, Vaughan and White—11.

The House then adjourned until to-morrow, 10 o'clock, A. M.

TUESDAY, February 10, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent: Messrs. Garrett, Martin and Johnson.

The reading of yesterday's Journal was dispensed with.

The Committee on Internal Improvements, to whom was referred House bill No. 87, to incorporate the Atchison and Vermillion City Railroad Company, report the following bill as a substitute therefor, and recommend its passage.

W. H. JENKINS, Chairman.

Report agreed to.

By suspension of rules, the bill was read a first, second and third time, and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Palermo Insurance Company, report the same back to the House, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Wheatland Town Company, report the same back to the House with the following amendment:

Section 5. It is not the intention of this act to conflict with the law of Congress in relation to pre-emption of town sites.

And, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

By suspension of rules, the amendment was read a first and second time, and bill as amended ordered to be engrossed, and read a third time to-morrow.

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. Speaker—I am instructed by the Council to inform the House that the Council have passed Council bills of the following titles:

An act to extend the time granted to James Findlay to build a bridge across the Wakarusa.

An act to locate a Territorial road from the town of Palermo to the town of Claytonsville.

A bill entitled an act to incorporate the Kansas River Navigation Company.

An act in relation to incorporations.

An act in relation to resignations.

And the Council has passed the following House bills:

An act regulating hedging on roads and highways.

A bill to be entitled "An act to incorporate the Greenwood Town Company."

An act to incorporate the Brownsville Town Company.

And have amended and passed House bill No. 9, "An act to incorporate the Topeka Bridge Company."

And that the following bills have been introduced into the Council:

An act in relation to resignations.

An act to incorporate the Chaumier Town Company.

An act to locate a Territorial road, from the town of Palermo to the town of Claytonsville.

An act to incorporate the Roseport Banking Company.

And have amended and passed House bill No. 21, "An act amendatory of an act prescribing oaths of officers and others, in the Territory of Kansas."

The Committee on Corporations, to whom was referred House bill "to incorporate the Kansas Land Agency Company," have had the same under careful consideration, and report the same back to the House, seeing no reason to make legislation generally necessary on such cases.

Your committee pray they may be discharged from further consideration of the same.

B. F. SIMMONS, Chairman.

Report agreed to.

The bill was read a third time and laid over.

The Committee on Corporations, to whom was referred House bill to incorporate the Franklin Town Company, report the same back to the House, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

The rules were suspended, bill considered as engrossed, read a third time, and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the town of Shawnee, report the same back to the House, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time and passed.

The Committee on Education, to whom was referred a bill to incorporate the Kansas Territorial University, report the same back to the House, and recommend its passage.

JOS. P. CARR, Ch'n.

Report agreed to.

By suspension of rules, the bill was read a third time, and passed.

The Committee on Education, to whom was referred Council bill to incorporate the Wakarusa City Seminary, report the same back to the House, and recommend its passage.

JOS. P. CARR, Chairman.

Report agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time, and passed.

The Committee on Education, to whom was referred Council bill to incorporate the Kansas Female Collegiate Institute, report the same to the House with the following amendments:

In section 2, after the words, "any real amount of real and personal property," insert "not to exceed one hundred and sixty acres." In section 4, strike out the words, "the money raised," &c., to "lands," and insert "the money subscribed for the stock of said corporations."

JOS. P. CARR, Chairman.

Report agreed to.

By suspension of rules, the amendments were read a third time; bill considered as engrossed, read a third time, and passed.

The Committee on Education, to whom was referred Council bill to incorporate Breckenridge College, report the same back to the House with the following amendments:

In section 3, after the words, "lands, tenements, hereditaments," insert "not to exceed three hundred and twenty acres;" and recommend its passage.

JOS. P. CARR, Chairman.

By suspension of rules, the amendment was read a second time; bill, as amended, read a third time, and passed.

The Committee on Education, to whom was referred House bill to incorporate the Kansas Collegiate Association, report the same back with the following amendments:

Strike out section 2, and insert the words—"The capital stock of said corporation shall not exceed one hundred thousand dollars, divided into shares of one hundred dollars each. The stock of said corporation shall be deemed personal property, and any person holding one or more shares shall be a member thereof."

Strike out section 3, and insert the words—"The corporation hereby created shall have power to purchase and hold any quantity of real estate not to exceed three hundred and twenty acres, and to sell, dispose of, and convey the same."

In section 4, strike out the words "the money received from the sale of town lots and land," and insert the words, "the money subscribed for the stock of said corporation."

And, as amended, recommend its passage.

JOSEPH P. CARR, Chairman.

Report agreed to.

The rule was suspended, and amendment read a second time; bill, as amended, considered as engrossed, read a third time, and passed.

Mr. Butcher, on leave, introduced a bill to re-locate the seat of justice of Douglas county. Read a first time, and, by suspension of rule, read a second time by its title, and referred to Committee on Bounds of Counties and Districts.

A message from the Council by Mr. Hughes, Chief Clerk:

Mr. Speaker—I am instructed to inform the House that Council has passed Council bill, "A bill to incorporate the Nebraska, Kansas and Gulf Railroad Company."

The Committee on Roads and Highways, to whom was referred Council bill No. 102, "to authorize N. B. Blanton to receive tolls," report the same back to the House, and recommend its passage.

JAS. KUYKENDALL, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time, and passed.

Mr. Brantly moved to send up concurrent resolution of Council in regard to introduction of bills. Carried.

And, the resolution was not concurred in by

Ayes—Messrs. Speaker, Anderson, Butcher, Bernard, Brantly, Carr, Dolman, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Martin, Reese, Spratt, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—21.

Ayes—Messrs. Browne of D., Davis, Garvin, Fox, McKinney, O'Driscoll, Randall, Stout, Simmons and White—10.

The Committee on Banks, to whom was referred Council bill No. 65, authorizing Leavenworth City to borrow money, report the same back to the House, and recommend its passage.

W. H. TEBBS, Chairman.

Agreed to.

By suspension of rules, the bill was read a third time and passed.

The Committee on Corporations, to whom was referred the bill entitled "An act supplemental to an act to incorporate the Lecompton Bridge Company," report the same to the House, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

By suspension of rules, the bill was read a third time and passed.

On motion, the House adjourned until 2½ o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

By leave Mr. Dolman introduced a bill to incorporate the Delaware and Lecompton Railroad Company. Read a first time, and on suspension of rules read a second time by its title, and referred to Committee on Internal Improvements.

Mr. Thompson introduced a bill to incorporate the Coahoma Town Company. Read a first time, and on suspension of rules read a second time by its title, and referred to Committee on Corporations.

Mr. Kuykendall introduced a bill to authorize the erection of a bridge across Grasshopper creek, near its mouth. Read a first time, and on suspension of rules read a second time by its title, and referred to Committee on Roads and Highways.

Mr. Kirk introduced a bill to establish a Territorial road from the city of Atchison to the town of Doniphan. Read a first time, and on suspension of rules bill read a second time by its title, and referred to Committee on Corporations.

The Committee on Engrossed Bills beg leave to report the following bills as being truly engrossed, viz:

An act to incorporate the town of Agnes City.

An act to incorporate the Wakarusa City Company.

An act to incorporate the Willow Springs Town Company.

An act to incorporate the Tauroma Town Company.

W. A. M. VAUGHAN, Chairman.

Agreed to.

The following engrossed bills were read a third time and passed:

An act regulating actions. Passed by

Ayes—Messrs. Anderson, Browne of D., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Vaughan, Waterson, White, Young and Mr. Speaker—31.

Nays—Messrs. Tebbs and Walker—2.

An act to incorporate the Tauroma Town Company.

An act to incorporate the Wakarusa City Town Company.

An act to incorporate the Willow Springs Town Company.

An act to incorporate the town of Agnes City. Passed by

Ayes — Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Waterson, Walker, White and Young—30.

NAYS—Messrs. Laws and Vaughan—2.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred House bill entitled "a bill to locate permanently the seat of justice of Leavenworth county," having had the same under consideration, and after having consulted the Representatives from said county as to the merits of the bill, offer the following amendment:

Section 5. Until the county seat shall be permanently located according to the provisions of this act, the clerk of the board of county commissioners shall hold his office in Leavenworth city, and after said location shall hold his office at such place as may be selected as said permanent seat of justice.

And, as amended, recommend its passage.

D. J. JOHNSON, Chairman.

By suspension of rules, the amendment was read a second time.

Mr. Walker presented a remonstrance against the passage of the bill.

And, on motion of Mr. Matthias, (Mr. Tebbs in the chair,) the report, bill and memorial were referred to a committee composed of the members from Leavenworth county.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred House bill "to authorize the City of Lecompton to borrow money," report a bill of the same title as a substitute therefor.

D. J. JOHNSON, Chairman.

Report agreed to.

By suspension of rules, the bill was read a first, second and third time, and passed by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Carr, Davis, Dolman, Fox, Fain, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Waterson, Walker, White and Young—29.

NAYS—Messrs. Bernard, Garvin, Laws and Vaughan—4.

A bill to incorporate the Kansas Land Agency Company, was read a third time and passed.

A bill to establish a Territorial road from Doniphan to Claytonsville, was read a third time by its title and passed.

The House then adjourned.

WEDNESDAY, February 11, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent: Messrs. Browne of D., and Carr.

The Journal of Monday was read and approved; the reading of the Journal of yesterday was dispensed with.

A message from the Council by Mr. Grover, Assistant Clerk:

I am instructed by the Council to inform the House that House bills of the following titles have passed the Council—

An act to incorporate the Missouri River and Nemaha Valley Railroad Company.

An act to incorporate the Sebastian Town Association.

An act to incorporate the Neoma Town Association.

And have amended and passed House bills, "An act to incorporate the city of Palermo."

An act to amend an act to prevent the firing of woods, marshes and prairies.

And have passed the following Council bills:

An act to establish a Territorial road from Wakarusa City to Council Grove.

An act to locate the Penitentiary.

And bills of the following titles have been introduced into the Council:

A bill to locate the Penitentiary.

A bill to establish a Territorial road from Wakarusa City to Council Grove.

A bill to incorporate the Laurel Hill Cemetery Association.

A bill to incorporate the Midway Town Association.

A bill to establish a Territorial road from the city of Lawrence to the town of Burlington, in Coffey county.

A bill to incorporate the Wewaka Town Company.

By suspension of rules, Mr. Martin from special committee, reported as follows:

The committee to whom was referred House bill to locate permanently the seat of justice of Leavenworth county, together with a petition of sundry citizens of Leavenworth county against the passage of said bill, have had the same under careful consideration, and beg leave to make the following report:

Your committee are adverse to charging fraud upon any individual, but, believing that such a charge became necessary for this body to protect itself in this particular case, they must allege not only fraud upon the part of the presenters of the original petition, but an absolute insult upon the dignity of this body. The only names that are now within the knowledge of your committee, that appear upon said petition, most solemnly aver to us that they never signed said petition with any such an object.

We therefore report the bill back to the House, and recommend its passage.

J. W. MARTIN, Chairman.

Report agreed to.

Message from the Council by Mr. Hughes, Chief Clerk:

Mr. Speaker—I am instructed to inform the House that the Council has passed the following resolution:

Resolved, That the House be requested to return to the Council, House bill entitled "An act to incorporate the Neoma Town Association."

Also, House bill to incorporate the Sebastian Town Association.

The bill locating the county seat of Leavenworth was then passed by

Ayes—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, White and Young—31.

Nays—Messrs. O'Driscoll and Walker—2.

Mr. Tebbs offered the following resolution:

Resolved, That five hundred additional copies of the report of the Auditor of Public Accounts be ordered to be printed for the use of the House. Adopted.

Mr. White moved to take up House bill, "prescribing oaths of officers and others in the Territory of Kansas," with Council amendment. Lost.

The Committee on Internal Improvements, to whom was referred Council bill No. 32, entitled "An act to incorporate the Prairie City Coal Mining Company," respectfully report the same back, and recommend its passage.

W. H. JENKINS, Chairman.

Report agreed to.

The bill was read a third time and passed.

The Committee on Internal Improvements, to whom was referred Council bill No. 38, "to incorporate the Central Railroad Company of the Territory of Kansas," report the same back to the House with the following amendment:

In section 19, strike out "twenty."

B. O'DRISCOLL, for the Committee.

Report agreed to.

By suspension of rules, the amendment was read a second time, and bill as amended read a third time and passed.

The Committee on Internal Improvements, to whom was referred Council bill No. 107, "to incorporate the Palermo and Lecompton Railroad," report the same back to the House, and recommend its passage with the following amendments:

1st. "That the provisions of sections 14 and 20 of 'An act to incorporate the Central Railroad Company,' (chapter 84, statutes of the Territory,) are not granted to said road."

And that, as a substitute for the aforesaid 20th section, insert "said company shall commence the construction of said road [within five years after the passage of this act,] and shall complete the same within twenty years."

W. H. JENKINS, Chairman.

Report agreed to.

By suspension of rules, the amendments were read a second time, and the bill, as amended, read a third time and passed.

The Committee on Internal Improvements, to whom was referred House bill "to incorporate the Missouri River and Pacific Railroad Company," report the same back to the House with the following amendments, and recommend its passage:

"That the provisions of section 14 and 20 of 'An act to incorporate the Central Railroad Company,' (chapter 84 of the statutes of the Territory,) be not granted to said road."

That, as a substitute for the aforesaid 20th section, insert "said company shall commence the construction of said road within five years after the passage of this act, and shall complete the same within twenty years."

W. H. JENKINS, Chairman.

Agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended, read a third time, and passed.

The Committee on Internal Improvements, to whom was referred Council bill No. 114, "to incorporate the Palermo and St. Joseph Railroad Company," report the same back to the House with the following amendments, and recommend its passage:

"That the provisions of sections 14 and 20 of 'An act to incorporate the Central Railroad Company,' (chapter 84 of the statutes of the Territory,) be not granted to said road."

And that, as a substitute for the foregoing 20th section, insert "that said company shall commence the construction of said road within five years from the passage of this act, and shall complete the same within twenty years."

W. H. JENKINS, Chairman.

By suspension of rules, the amendment was read a second time, and bill as amended read a third time and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Lecompton Building Association," report the same back to the House, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

The bill was read a third time and passed.

The Committee on Bounds of Counties and Districts, to whom was referred the petitions of sundry citizens of Woodson and Coffey counties, and also Council bill No. 130, "An act to organize the county of Coffey," report the same back with the following amendments, and recommend its passage:

In section 3, strike out the words "Probate Judge and County Commissioners of Coffey county, hereafter to be elected by the Legislative Assembly, are hereby appointed;" and insert, "At the general election for members of the Legislative Assembly for the year eighteen hundred and fifty-seven, the qualified voters of Coffey county shall elect three Commissioners."

And add

Sec. 8. So much of the thirty-fourth section of the act entitled "An act defining the boundaries of the several counties of the Territory of Kansas," as attaches the county of Woodson to the county of Allen, be and the same is hereby repealed, and the said county of Woodson is hereby attached to the county of Coffey for civil and military purposes; provided, that the inhabitants of the county attached shall not be taxed for local purposes in the said county of Coffey.

R. L. KIRK, Chairman.

Report agreed to.

On suspension of rules, the amendments were read a second time, and the bill, as amended, read a third time and passed.

The Committee on Bounds of Counties and Districts, to whom was referred a bill defining the boundaries of Davis and Coffey counties, report the same back to the House, and recommend its rejection.

R. L. KIRK, Chairman.

Report agreed to.

The Committee on Elections, to whom was referred Council bill No. 111, to provide for the filling of vacancies, report the same back, and recommend the following amendment to section 3:

"Provided, this act shall be so construed as [not] to invalidate the acts of any board in which vacancies have been filled by the action of a majority of each board, and the person so appointed shall be commissioned by the Governor of this Territory."

W. H. TEBBS, Chairman.

Report agreed to.

By suspension of rules, the amendment was read a second time, and bill as amended read a third time and passed.

The Committee on Agriculture, to whom were referred two Council bills (73,) "An act amendatory of an act concerning strays," report the same back and recommend their rejection.

T. W. WATERSON, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred Council bill No. 125, entitled "An act to incorporate the Sonora Town Company," report the same back with the following amendments, and recommend its passage:

After "C. Columbia," insert "G. W. Reese," and add the following section:

Sec. 4. It is not the intention of this act to conflict with an act of Congress regulating town sites.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended read a third time and passed.

Mr. Waterson offered the following resolution:

Resolved, That the Master of Convicts be requested to furnish the names of all the convicts in his charge; when received; and if any escape, what time, and the names of those that have escaped, and all matters concerning the convicts that have escaped.

Adopted.

Mr. Davis, on leave, introduced a bill to incorporate the Carolina Town Company. Read a first time, and on suspension of rules, read a second time, and referred to Committee on Corporations.

Mr. Stout introduced a bill, on leave, "An act amendatory and supplementary to an act to license and tax merchants." Read a first time, and on suspension of rules read a third time by its title, and referred to Committee on Finance.

Mr. Brantly offered the following concurrent resolution:

Resolved by the House of Representatives, (the Council concurring therein, that the two houses meet in Joint Session on Tuesday next, at 2 o'clock, P. M., for the purpose of electing District Attorneys, Probate Judges, Sheriffs, County Commissioners, and for all vacancies which now exist in public offices.

Laid over.

On motion, the Speaker was authorized to appoint a Door-keeper in place of Mr. Jackson, sick.

The Speaker appointed Mr. George A. Cole, who was sworn in.

Mr. Johnson moved to take up the report on militia. Carried.

The House then adjourned to 2½ o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Anderson moved that the House resolve itself into Committee of the Whole on report of militia. Carried by

Ayes—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Carr, Dolman, Jenkins, Kirk, Martin, McKinney, O'Driscoll, Randall, Simmons, Thompson, Tebbs, Vaughan and Young—18.

Nays—Messrs. Brantly, Fox, Fain, Garvin, Johnson, Kuykendall, Laws, Reese, Stout, Spratt, Waterson, Walker and White—13.

The House then went into Committee of the Whole, Mr. Anderson in the chair; during which, the Committee took a recess. After some time thus spent, the Committee rose and made the following report:

The Committee of the Whole House, to whom was referred the report on the militia and the Governor's message, have had the same under consideration and beg leave to report that House agree to report.

JAS. C. ANDERSON, Ch'n.

Mr. Kirk moved the previous question, and the main was ordered by

Ayes—Messrs. Carr, Davis, Fox, Garvin, Jenkins, Kuykendall, Kirk, Martin, McKinney, Randall, Spratt, Simmons, Thompson, Vaughan, Walker and Young—16.

Nays—Messrs. Anderson, Butcher, Brantly, Fain, O'Driscoll, Stout and Mr. Speaker—7.

Absent—Messrs. Browne of D., Bernard, Dolman, Johnson, Laws, Reese, Tebbs, Waterson and White.

And the report was agreed to by

Ayes—Messrs. Speaker, Anderson, Butcher, Brantly, Carr, Davis, Garrett, Jenkins, Kuykendall, Kirk, Martin, McKinney, O'Driscoll, Randall, Stout, Spratt, Simmons, Thompson, Vaughan, Walker and Young—21.

Nays—Messrs. Fox, Fain and Garvin—3.

The Committee on Militia, to whom was recommitted a bill for the election of officers of the militia, report the following bill as a substitute therefor.

J. W. MARTIN, Chairman.

Agreed to.

The bill was read a first time, and by suspension of rules the bill was read a second time by its title; rules suspended, considered as engrossed, bill read a third time by its title, and passed by

Ayes—Messrs. Speaker, Anderson, Butcher, Brantly, Carr, Davis, Fox, Fain, Garvin, Jenkins, Kuykendall, Kirk, Martin, McKinney, O'Driscoll, Randall, Stout, Spratt, Simmons, Thompson, Vaughan and Young—22.

Nay—Mr. Walker.

Leave of absence until Thursday was granted Mr. Simmons.

The House then adjourned.

THURSDAY, February 12, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent: Messrs. Garrett and Laws.

Sick—Mr. Dolman.

The Journals of yesterday and Tuesday were read and approved.

Mr. Waterson presented a memorial from the Probate Judge and Sheriff of Riley county in regard to division of county. Read and referred to Committee on Bounds of Counties and Districts.

Reports of Standing Committees.

The Committee on Engrossed and Enrolled Bills have examined bills of the following titles and report them as truly enrolled:

An act to charter a ferry at Calhoun, Kansas Territory.

An act to incorporate the Bernard Town Company.

An act to incorporate the town of Shannon.

An act for the incorporation of Newcastle Town Company.

An act to incorporate the Town Company of America.

An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas.

An act to incorporate the Brownsville Town Company.

An act to regulate hedging in roads and highways.

An act to amend an act entitled "An act to incorporate the City of Lecompton."

An act to incorporate the city of Iowa Point.

An act to incorporate the Palermo Town Company.

An act to establish a ferry on the Kansas river at the crossing of the Territorial road running from Bernard's store to Leavenworth City.

J. C. THOMPSON, Chairman.

The Committee on Engrossed and Enrolled Bills have examined the following bills, and report them as truly enrolled:

An act to detach Browne county from the county of Doniphan, and to organize Browne county.

An act to incorporate the county of Paris, in the county of Linn.

An act to incorporate the Sprattsville Town Company, in the county of Bourbon.

By order of Committee,
B. BRANTLY.

The Committee on Engrossed and Enrolled Bills ask leave to report, that they have examined the following bills and find them truly enrolled:

An act to incorporate the Manhattan Town Association.

An act to establish a Territorial road from Atchison to Vermillion City, K. T.

An act to incorporate the Woodson Town Company.

An act establishing a Territorial road from the City of Lecompton, via St. Bernard, to Shannon, the county seat of Anderson county.

An act to amend an act entitled "An act concerning strays."

An act to locate and establish a Territorial road from Fail's store to Cofachique, in Allen county, K. T.

An act to incorporate the city of Atchison.

An act to incorporate the Manhattan Institute.

An act to incorporate the Town Company of Pierce.

An act to legalize the acts of the board of county commissioners of the county of Anderson.

An act to incorporate the Vermillion City Town Company.

An act for the relief of the collectors of the public revenue.

An act to incorporate the Town Company of Eureka.

By order of the Committee,

T. W. WATERSON, Chairman.

The Committee on Roads and Highways, to whom was referred a bill to lay out and establish a Territorial road from Paola to Fort Scott, report the same back with the following amendments, and recommend its passage:

After the word "Ossawatamie," add "and Brisco, Davis." Strike out "by way of Judge Davis, to Fort Scott," in first section.

JAS. KUYKENDALL, Ch'n.

Report agreed to.

By suspension of rules the amendments were read a second time, and the bill as amended was read a third time and passed.

The Committee on Internal Improvements, to whom was referred House bill, "An act to incorporate the Missouri and Kansas Railroad Company," report the same back, and recommend its passage with the following amendments:

Amend by striking out 14th section, and number section so as to provide for the same.

Strike out 20th section, and insert therefor, "*Provided*, That the powers herein conferred shall not be exercised until the Kansas Valley Railroad Company shall fail for one year, from the passage of this act, to organize and efficiently commence the work, under their charter, on the south side of Kansas river; and provided further, that the company herein incorporated may organize under the provisions of this act, and proceed at once to construct a railroad from any point on the Wyandott lands to connect with the Kansas Valley railroad, on the south side of Kansas river, at a point not exceeding two miles from the Missouri river.

W. H. JENKINS, Chairman.

Report agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended read a third time and passed.

The Committee on Internal Improvements, to whom was referred House bill to incorporate the Mine Hill Railroad and Mining Company, report the same back to the House, and recommend its passage, with the following amendments:

In section 7, strike out all after the word "Company."

In section 13, strike out the word "seven," and insert "five."

Strike out the whole of section 20.

In section 21, insert after the word "seven," the word "and;" and after the word "thirteen," strike out the words "and twenty."

W. H. JENKINS, Ch'n.

Mr. Tebbs, by leave, introduced a bill for the relief of William I. Preston. Read a first time, and, on suspension of rules, bill was read a second time by its title, and referred to the Committee on Finance.

Mr. Waterson introduced a bill for the establishment of a ferry at the city of Palermo, in Doniphan county. Read a first time, and, on suspension of rules, read a second time by its title, and referred to Committee on Roads and Highways.

The Committee on Engrossed and Enrolled Bills report the following as truly engrossed:

An act to incorporate the Buchanan Town Company.

An act to incorporate the Wheatland Town Company..

J. C. THOMPSON, Ch'n.

Agreed to.

Mr. Fox moved to take up House bill with Council amendment, "An act prescribing oaths of officers and others in the Territory of Kansas."

The amendment was read a first time.

On motion, the rules were suspended and amendment read a second time by

Ayes—Messrs. Anderson, Bernard, Brantly, Carr, Davis, Fox, Fain, Garvin, Garrett, Jenkins, Kuykendall, Kirk, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Vaughan, Waterson, Walker, White and Young—25.

Nays—Messrs. Speaker, Browne of D., Butcher, Johnson, Thompson and Tebbs—6.

Mr. Brantly moved that the rules be suspended and amendment be read a third time.

Mr. Anderson moved as a substitute that the bill be referred to Committee on Judiciary.

Mr. Waterson moved to lay the substitute on the table. Carried by

Ayes—Messrs. Bernard, Brantly, Davis, Fox, Fain, Garvin, Garrett, Kuykendall, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Tebbs, Vaughan, Waterson and White—18.

Nays—Messrs. Speaker, Anderson, Browne of D., Butcher, Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs, Walker and Young —14.

Message from the Council by Mr. Grover, Assistant Clerk:

I am instructed to inform the House that the Council has passed Council bill:

An act to organize the county of Breckenridge.

And have passed the following House bill:

An act to incorporate the City of Topeka.

And have amended and passed House bills:

An act to incorporate the Atchison and Lecompton Railroad Company.

A bill to incorporate the Town Company of Wyola.

A bill to incorporate the Tauroma Town Company.

And have agreed to House amendments to the following Council bills:

An act to incorporate the Sonora Town Association.

An act to authorize the City of Leavenworth to borrow money.

And also have amended and passed House bill No. 14, "to incorporate the Big Spring Town Association."

And have indefinitely postponed House bill to incorporate the Wyandott Town Company.

And the following bills have been introduced into the Council:

A bill to organize the county of Breckenridge.

An act to incorporate the Palermo Hotel Company.

An act to incorporate the St. Joseph and Topeka Railroad Company.

An act to incorporate the Rising Sun Town Association.

An act to incorporate the Town Company of Charlottville.

And that the President of the Council has signed the following Council bills:

An act to amend an act to provide for the pay of officers and others.

An act to incorporate the inhabitants of the Town of Delaware, in Leavenworth county, Kansas Territory.

And the Governor has approved Council bills of the following titles:

An act to define the several Judicial Districts of Kansas Territory.

An act to incorporate the Buffalo Town Company of Kansas Territory.

And the vote being taken on Mr. Brantly's motion, it was lost by

Ayes—Messrs. Brantly, Davis, Fox, Fain, Garvin, Garrett, Kuykendall, McKinney, O'Driscoll; Reese, Randall, Stout, Spratt, Vaughan; Waterson, Walker and White—17.

Nays—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs and Young—14.

Mr. Spratt moved that the rules be suspended, and that he be allowed to introduce a bill. Lost.

The following engrossed bills were read a third time and passed:

An act to incorporate the Buchanan Town Company.

An act to incorporate the Wheatland Town Company.

An act to establish a ferry at Wyandott city.

An act to establish a ferry at Quindaro was taken up and read a third time.

Mr. Martin moved to postpone the bill indefinitely. Lost by

Ayes—Messrs. Speaker, Brown of D., Butcher, Carr, Johnson, Jenkins, Kirk, Martin, Thompson, Tebbs and Young—11.

Nays—Messrs. Bernard, Brantly, Davis, Fox Fain, Garvin, Kuykendall, McKinney, O'Driscoll, Randall, Stout, Spratt, Simmons, Vaughan, Waterson and White—16.

And the bill passed by

Ayes—Messrs. Anderson, Bernard, Brantly, Davis, Fox, Fain, Garvin, Kuykendall, O'Driscoll, McKinney, Reese, Randall, Stout, Spratt, Simmons, Vaughan, Waterson, Walker and White—19.

Nays—Messrs. Speaker, Butcher, Carr, Johnson, Jenkins, Kirk, Martin, Thompson, Tebbs and Young—10.

The House then adjourned until 2½ o'clock, P. M., by

Ayes—Messrs. Butcher, Bernard, Brantly, Davis, Fox, Fain; Garvin, Johnson, Kuykendall, Reese, Randall, Stout; Spratt, Simmons, Tebbs, Waterson, Walker, White and Young—19.

Nays—Messrs. Speaker, Anderson, Brown of D., Carr, Jenkins, Kirk, Martin, McKinney, O'Driscoll and Vaughan—10.

AFTERNOON SESSION.

House met pursuant to adjournment.

The following House bills with Council amendments were taken up, read a first, second and third time, and agreed to:

An act to incorporate the Newcastle Coal and General Mining Company.

An act to incorporate the city of Palermo.

An act to incorporate the Topeka Bridge Company.

An act to amend an act to prevent the firing of woods and prairies. The amendment was read a first time.

Mr. Johnson informed the House that Mr. Richardson, a member of the Council, was said to be dying, and the House adjourned.

FRIDAY, FEBRUARY 13, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent: Messrs. Stout and White.

The Journal of yesterday was read and approved.

The Committee on Finance, to whom was referred House bill for the relief of William I. Preston, report the same back with the following amendment, and, as amended, recommend its passage.

Strike out section second, and insert that "the said Preston is hereby allowed the sum of fifty-six dollars as full compensation for his personal services, mentioned in first section."

O. H. BROWNE, Chairman.

Report agreed to.

By suspension of rules, the amendment was read a first and second time, and bill as amended read a third time, and passed.

The Committee on Corporations, to whom was referred "A bill to incorporate the Springfield Town Company," report the same back to the House with the following amendment:

Section 6. That nothing herein shall be so construed as to conflict with the laws of Congress in relation to pre-emption of town sites.

And, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

By suspension of rules, amendments read a second time, and the bill as amended read a third time, and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Carolina Town Company, report the same with the following amendment: Strike out "Carolina" in the title and body, and insert "Westphalia;" and, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

Amendment was read a second time, and bill as amended considered as engrossed, read a third time, and passed.

The Committee on Engrossed and Enrolled Bills report as truly enrolled the following bills:

An act to incorporate the Town Company of Wyola.

An act to incorporate the city of Topeka.

An act to incorporate the Big Spring Town Association.

An act to incorporate the Greenwood Town Company.

B. BRANTLY, Ch'n.

The Committee on Corporations, to whom was referred the Coahoma Town Company, report the same back to the House, and recommend its passage.

B. F. SIMMONS, Ch'n.

Report agreed to.

The Committee on Corporations, to whom was referred Council bill, "An act supplemental to an act to incorporate the Kansas River Bridge Company," report the same back, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred Council bill, "An act entitled an act to amend certain parts of an act entitled 'An act concerning corporations,'" report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Corporations, to whom was referred Council bill in relation to associations, report the same without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

The Committee on Corporations, to whom was referred Council bill to incorporate the Hiawatha Town Company, report the same back, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

The bill was read third time and passed.

The Committee on Corporations, to whom was referred Council bill to incorporate the Powhattan Town Company, report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

Bill was read a third time and passed.

The Committee on Corporations, to whom was referred House bill to establish a bridge across Grasshopper creek near its mouth, report the same back to the House without amendment, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Leavenworth Fire and Marine Insurance Company, report the same back with the following amendments:

Strike out all after the word "notwithstanding" in 19th section, and add to the list of corporators, "A. J. Isacks," and, as amended, recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended considered as engrossed, read a third time, and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Kansas Land and Loan Association, report the same back, and recommend its passage.

B. F. SIMMONS, Chairman.

Report agreed to.

The bill was considered as engrossed, read a third time, and lost by

NAYS—Messrs. Anderson, Browne of D., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Thompson, Vaughan, Waterson and Young—27.

AYES—Messrs. Speaker, Simmons, Tebbs and Walker—4.

The Committee on Corporations, to whom was referred House bill to incorporate the Willow Spring Manufacturing and Mining Company, report the same back with the following amendments:

Add to last section, that "this act is not to conflict with the provisions of the general association law."

B. F. SIMMONS, Chairman.

By suspension of rules, the amendment was read a second time, and bill as amended considered as engrossed, read a third time and passed.

The Committee on Finance, to whom was referred "A bill amendatory and supplemental to an act to license and tax merchants," beg leave to report the same back.

The bill provides that all merchants shall deliver to the assessor of the county a full, true and perfect statement, in writing, of the cash value of all goods, &c., owned by him or in his charge on the first day of February next preceding the time of assessment, to be taxed as other property. The present law makes the same requirement as to all goods, &c., owned by him or in his charge during the twelve months next preceding such assessment.

Under existing legislation, the merchant, whose sales during the year amount to hundreds of thousands of dollars, pays taxes on the full amount sold during the whole year. Under the proposed law, he would pay tax only on the few thousand which he might purchase and have in his possession on the first day of February. This would greatly diminish the revenue. The financial condition of the Territory, in the opinion of your committee, will not justify such a diminution. By a change of ownership for twenty-four hours, the Territory might be defrauded of even the pitiful tax due under the modification proviso. It is not presumed that the millionaire merchant, or picayune huckster, would avail himself of so contemptible an artifice. But it is the perfection of human legislation to prevent the possibility of fraud. Divine wisdom added its sanction to this legal sentiment when it taught man to breathe the humble petition, "Lead us not into temptation."

The rejection of the bill is therefore recommended.

O. H. BROWNE, Ch'n.

Mr. Browne of D. moved to refer the bill and report to a Select Committee. Carried.

Committee—Messrs. Stout, Vaughan, Brantly, Kuykendall and Martin.

Mr. Stout gave notice that he would introduce a bill to incorporate the Marshall Town Company.

Mr. Anderson moved that the rules be suspended and allow him to introduce a bill. Lost by

Ayes—Messrs. Anderson, Browne of D., Butcher, Garrett, Johnson, Kuykendall, Kirk, Martin, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—17.

Nays—Messrs. Speaker, Bernard, Brantly, Davis, Carr, Dolman, Fox, Fain, Garvin, Laws, McKinney, O'Driscoll, Reese, Randall and White—15.

The bill "prescribing oaths of officers and others in the Territory of Kansas," was taken up, and Council amendment was read a third time, and passed by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Johnson, Kuykendall, Kirk, Laws, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Vaughan, Waterson, Walker, White and Young—29.

NAYS—Messrs. McKinney, Jenkins and Tebbs—3.

The Committee on Enrolled and Engrossed Bills report the following bills as truly enrolled:

An act to incorporate the city of Palermo.

An act to incorporate the Topeka Bridge Company.

An act to incorporate the Atchison Hotel Company.

And also the following bills as truly engrossed:

An act to incorporate the St. George Town Company and for other purposes.

J. C. THOMPSON, Chairman.

The Committee on Engrossed and Enrolled Bills report the following as truly enrolled:

An act to incorporate the Missouri River and Nemaha Railroad Company.

A bill to incorporate the city of Manhattan.

T. W. WATERSON, for the Committee.

By leave, Mr. Anderson introduced a bill to amend an act for securing liens to mechanics and others. Read a first time; rules suspended, and bill read a second time; rules suspended, and bill considered as engrossed, read a third time and passed.

By leave, Mr. Anderson introduced a bill to amend an act concerning injunctions. Read a first time, and on suspension of rules, read a second time by its title, and referred to the Committee on the Judiciary and Criminal Jurisprudence.

By leave, Mr. Thompson offered the following resolution:

Resolved, That the rule of this House requiring one day's notice previous to introducing a bill, is hereby suspended during the remainder of this session, and that no member will be allowed to introduce a bill after 12 o'clock, M., on Monday next.

Adopted.

Mr. Brantly, by leave, introduced the following joint resolution:

Resolved, That the House of Representatives (the Council concurring therein,) go into Joint Session on to-morrow, at 11 o'clock, A. M., for the purpose of filling all vacancies of Territorial officers under their jurisdiction.

Adopted.

The House then adjourned until 2½ o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Martin presented a petition, which was referred to Committee on Bounds of Counties and Districts.

The bill to incorporate the Kansas Land Agency Company was taken up.

Mr. Martin moved that the bill be indefinitely postponed. Carried by

Ayes—Messrs. Speaker, Anderson, Browne of D., Brantly, Carr, Davis, Fox, Garvin, Johnson, Jenkins, Kirk, Martin, McKinney, Reese, Simmons, Vaughan, Walker and Young—18.

Nays—Messrs. Butcher, Dolman, Fain, Kuykendall, Laws, O'Driscoll, Stout, Spratt and Tebbs—9.

The Committee on Public Buildings, through their chairman, Mr. O'Driscoll, submitted a report; adding thereto a communication from the contractor, owing to some injustice which seemed to have been done him.

Agreed to.

The following bills were taken up, having been amended by the Council, the amendments read a first time; and, on suspension of rules, amendments read a second and third time, and agreed to:

An act to incorporate the Atchison and Lecompton Railroad Company.

An act to amend an act to prevent the firing of woods, marshes and prairies.

An act to incorporate the Atchison and Fort Riley Railroad Company.

The following Council bills were taken up, read a first time, and on suspension of rules, read a second time, and referred, &c.:

An act in relation to incorporations. Read a first and second time, and referred to Committee on Corporations.

An act to extend the time allowed to James Findlay to build a bridge across the Wakarusa. Referred to Committee on Roads and Highways.

An act to locate the Penitentiary. Read a third time and passed.

An act to organize the county of Breckenridge. Read a third time and passed.

An act to incorporate the Kansas River Navigation Company. Read a first time, and indefinitely postponed.

An act in relation to resignations. Read a third time and passed.

Message from the Council by Mr. McDonald, a member:

I am instructed to inform the House that the Council has passed a bill entitled "An act to provide for taking a census, and election of Delegates to Convention.

An act to incorporate the Nebraska, Kansas and Gulf Railroad Company was read a first and second time, and referred to Committee on Internal Improvements.

An act to establish a Territorial road from Wakarusa city to Council Grove. Referred to Committee on Roads and Highways.

An act to locate and establish a Territorial road from Palermo to Doniphan. Referred to Committee on Roads and Highways.

An act to incorporate the Town Company of Charlottsville was taken up, read a third time and passed.

An act to incorporate the Tecumseh Cemetery Association, was read a second time, and referred to Committee on Corporations.

An act to incorporate the Laurel Hill Cemetery Association, was read a second time, and referred to Special Committee—Messrs. Anderson, Browne of D. and Butcher.

An act to incorporate the Palermo Hotel Company, was taken up, read a third time and passed.

An act to incorporate the Real Estate and Land Company. Read a first time and indefinitely postponed.

An act for the taking of the census and election of Delegates to Convention. Ordered to be printed and made special order of to-morrow at 10 o'clock.

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. Speaker—I am instructed to inform the House that the President has signed "An act to incorporate the Buchanan Town Company."

Council Bill, "An act to organize the county of Coffey," with amendments to House amendments, was taken up. The amendments were read a first, second and third time, and concurred in.

The Committee on Engrossed and Enrolled bills report as truly enrolled—

An act to authorize Wm. F. and G. M. Dyer to establish a bridge across Grasshopper creek.

An act to incorporate the town of Mount Pleasant.

An act to incorporate the Newcastle Coal and General Mining Company.

An act to incorporate the Tauroma Town Company.

Mr. Carr offered the following resolution:

Resolved, That the Engrossing Clerk of the House be requested to engross no more bills, and that he be authorized to assist the Enrolling Clerk in the performance of his duties. Adopted.

Council bill to incorporate the Prairie City and Missouri River Railroad Company was read a third time and passed.

The Master of Convicts' report was referred to Committee on Accounts.

The House then adjourned until 7½ o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

The concurrent resolutions of Mr. Anderson were taken up:

Resolved by the House of Representatives of the Territory of Kansas, the Council concurring therein, That the independence of the Judiciary is one of the main pillars in the temple of American freedom, and any interference in its functions by a co-ordinate branch of the government is inconsistent with and subversive of the fundamental principles of our government and imminently perilous to the liberties of the people.

2. That the interference of the Executive of the Territory of Kansas with the proceedings of the United States Judge, Samuel D. Lecompte, whilst engaged in the discharge of his judicial functions in the case of Charles Hayes, can only be regarded by right-minded and sober-thinking men as an anti-republican and despotic assumption of power, without a parallel in the history of our government, and must be viewed with the most unqualified censure.

3. That a new era has been installed in the history of our country, when any judicial officer, to say nothing of so honest, high-minded and capable functionary as Hon. Samuel D. Lecompte, late Chief Justice of the United States Court for the Territory of Kansas, is removed merely because his judicial decisions are at variance with the private opinions of the Executive of

Kansas; and that it is to be sincerely regretted that President Pierce, most of whose public acts have been characterized by wisdom and fairness, should have been led into so serious an indiscretion as the arbitrary removal of so trustworthy and faithful a Judge, whose only fault was that he dared to preserve the Judiciary unsullied from the encroachments of an usurping Executive.

4. That we memorialize the President, as an act demanded by justice and right, to reinstate Judge Lecompte.

5. That a copy of these resolutions be sent to the President of the United States, the President of the Senate and the Speaker of the House of the United States Congress.

Mr. Fox moved to lay the resolutions on the table.

Mr. O'Driscoll moved that the resolutions be referred to a Special Committee.

Mr. Simmons moved to amend the second resolution, by striking out from the word "without" to "government," and substituting "our approval" for "the most unqualified censure."

Mr. Stout moved as a snbstitute that the whole matter be laid on the table. Lost by

NAYS—Messrs. Speaker, Anderson, Butcher, Carr, Garrett, Johnson, Jenkins, Kirk, Martin, O'Driscoll, Spratt, Simmons, Thompson, Tebbs, Vaughan and Young—16.

AYES—Messrs. Bernard, Brantly, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, Reese, Stout and Waterson—11.

Mr. Thompson called for the previous question.

Mr. Laws moved that the House now adjourn. Lost by

NAYS—Messrs. Speaker, Anderson, Carr, Garrett, Johnson, Jenkins, Kirk, Martin, O'Driscoll, Simmons, Thompson, Tebbs, Vaughan, Walker and Young—15.

AYES—Messrs. Butcher, Bernard, Davis, Dolman, Fox, Garvin, Kuykenkall, Laws, Reese, Stout, Spratt and Waterson—12.

Mr. Waterson moved a call of the House. Lost by

NAYS—Messrs. Speaker, Anderson, Butcher, Carr, Garrett, Johnson, Jenkins, Kirk, Martin, O'Driscoll, Simmons, Thompson, Tebbs, Vaughan and Young—15.

AYES—Messrs. Bernard, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, Reese, Stout, Spratt, Waterson and Walker—12.

Mr. Fox moved that the House adjourn. Lost by

Nays—Messrs. Speaker, Anderson, Butcher, Carr, Garrett, Johnson, Jenkins, Kirk Martin, Simmons, Thompson, Tebbs, Vaughan, Walker and Young—15.

Ayes—Messrs. Bernard, Davis, Dolman, Fox, Garvin, Kuykendall, Laws, Reese, Stout, Spratt and Waterson—11.

Mr. Waterson moved that the matter be indefinitely postponed. Lost by

Nays—Messrs. Speaker, Anderson, Butcher, Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs, Vaughan, Walker and Young—14.

Ayes—Messrs. Bernard, Davis, Dolman, Fox, Garvin, Laws, O'Driscoll, Reese, Stout, Spratt and Waterson—11.

Mr. Waterson moved that the House now adjourn. Lost by

Nays—Messrs. Speaker, Anderson, Butcher, Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs, Walker and Young—13.

Ayes—Messrs. Bernard, Davis, Dolman, Fox, Garvin, Laws, Reese, Stout and Waterson—9.

The question then recurring on the passage of the resolutions as amended, were passed by

Ayes—Messrs. Speaker, Anderson, Butcher, Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs, Vaughan and Young—13.

Nays—Messrs. Bernard, Davis, Dolman, Fox, Garvin, Laws, Reese, Stout, Waterson and Walker—10.

The House then adjourned.

SATURDAY, February 14, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent:

Messrs. Dolman, Garrett, Kuykendall, McKinney, Walker and White.

The Journal of yesterday was read and approved.

Message from the Council by Mr. Grover, Assistant Clerk:

I am instructed by the Council to inform the House that the following Council bills have passed the Council:

An act to incorporate the Midway Town Association.

An act to establish a Territorial road from the city of Lawrence to the town of Burlington, in Coffey county.

An act to incorporate the Rising Sun Town Association.

An act extending and defining the jurisdiction of Probate Courts.

An act prescribing the time and place of holding the District Courts in the Territory of Kansas.

An act to incorporate the Buchanan University.

An act to incorporate the St. Joseph and Topeka Railroad Company.

An act to incorporate the Madison Town Company.

An act to incorporate the Moneique Town Company.

An act to incorporate the Chaumier Town Association.

An act to incorporate the Virginia Town Association.

An act to incorporate the Shenandoah Town Company.

An act to incorporate the Nicaragua Town Company.

And that Council have agreed to House amendments to Council bills:

An act to incorporate the Kansas Female Collegiate Institute.

An act to incorporate the Palermo and St. Joseph Railroad Company.

An act to incorporate the Palermo and Lecompton Railroad Company.

And have passed the following House bills:

An act to incorporate the Sebastian Town Association.

An act to locate a Territorial road from Doniphan to Claytonville.

An act to establish a Territorial road.

An act to establish a Territorial road from Lecompton to Richmond, in Nemaha county and other places.

An act to establish a Territorial road from Lodiana to a point opposite St. Joseph.

An act to incorporate the Atchison and Palmetto Railroad Company.

An act to establish a Territorial road from Palermo to Fort Riley.

An act to incorporate the Neoma Town Association.

A substitute for House bill to incorporate the Roseport Insurance Company.

And that the following House bills have been indefinitely postponed:

An act to incorporate the Kansas College Association.

An act to incorporate the Missouri River and Pacific Railroad Company.

An act to provide for the pay of officers.

And that the President of the Council has signed the following House bills:

An act to incorporate the Missouri River and Nemaha Valley Railroad Company.

An act to incorporate the Atchison Hotel Company.

An act to incorporate the Topeka Bridge Company.

An act to incorporate the city of Palermo, K. T.

An act to incorporate Manhattan city.

An act to incorporate the Town Company of Wyola.

An act to incorporate the Greenwood Town Company.

An act to incorporate the Big Spring Town Association.

An act to incorporate the city of Topeka.

An act to incorporate the Town Company of Reese.

An act to incorporate the Town of Paris.

An act to establish a Territorial road from Atchison to Vermillion city.

An act to incorporate the city of Iowa Point.

An act to establish a ferry on the Kansas river, at the crossing of the Territorial road running from Bernard's store to Leavenworth.

An act to locate a Territorial road from Missouri state line, at or near Fail's store.

An act to detach the county of Browne from Doniphan, and to organize Browne county.

An act to incorporate the Town Company of America.

An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas.

An act to incorporate the Sprattsville Town Company.

An act for the relief of the collectors of the public revenue.

An act to regulate hedging on highways.

An act to incorporate the Palermo Town Company.

An act to legalize the acts of the Board of County Commissioners of Anderson county.

An act to incorporate the Town Company of St. Bernard.

An act to incorporate the Woodson Town Company.

An act to incorporate the Manhattan Institute.

An act to incorporate the Town Company of Eureka.

An act to incorporate the Newcastle Town Company.

An act to incorporate the Brownville Town Company.

An act to incorporate the Manhattan Association.

An act to incorporate the Town of Shannon.

An act to incorporate the city of Atchison.

An act to incorporate the Town Company of Vermillion City.

An act to incorporate the Tauroma Town Company.

An act to incorporate Mount Pleasant Town Company.

An act to incorporate the Newcastle Coal and General Mining Company.

An act to amend an act to incorporate the city of Lecompton.

An act to locate and establish a Territorial road from the city of Lecompton to the county seat of Allen county.

An act to amend an act concerning strays.

An act to charter a ferry at Calhoun.

An act to authorize Wm. F. & G. M. Dyer to establish a bridge across Grasshopper creek, in the town of Osawkee.

The Committee on Engrossed and Enrolled Bills report as truly enrolled—

An act to incorporate the Willow Springs Town Company.

An act to incorporate the Franklin Town Company.

An act to amend an act to prevent the firing of woods and marshes.

An act to incorporate the town of Agnes City.

B. BRANTLY, for the Committee.

The Committee on Corporations, to whom was referred Council bill No. 127, in relation to incorporations, report the same back to the House, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was then read a third time and passed.

The Committee on Corporations, to whom was referred House bill No. 5, to incorporate the Kansas Land Agency Company, report the same back to the House, and recommend its rejection.

B. F. SIMMONS, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred House bill to incorporate the city of Wyandott, report the same back to the House, and recommend that it be referred to the Leavenworth delegation.

B. F. SIMMONS, Chairman.

And the bill was so referred.

The Committee on Corporations, to whom was referred Council bill No. 155, to incorporate the Tecumseh Cemetery Association, report the same back, and recommend that the part of section 6 which makes damages to the cemetery punishable by the by-laws of said association—such being declared a misdemeanor—be struck out, as your committee are of the opinion that it is giving to the by-laws of a private corporation too much latitude of power, by subjecting persons to the punishment of a misdemeanor. They therefore recommend that, in 6th section, "by the Territory" be substituted for said "corporation," and as amended recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended was then read a third time and passed.

The Committee on Finance, to whom was referred report of Auditor of Public Accounts, report the following act making appropriations for the years 1855 and 1856, and recommend its passage.

O. H. BROWNE, Chairman.

Agreed to.

The bill was read a first time, and, on suspension of rules, bill was read a second and third time, and passed.

The Committee on the Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 126, "An act supplemental to an act to fix the time of holding the Supreme Courts," report the same back, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to, and the bill was rejected.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 106, "An act to amend an act, entitled 'An act concerning bonds and notes,'" report the same back, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to, and the bill was rejected by

AYES—Messrs. Speaker, Anderson, Browne of D., Carr, Fox, Garvin, Garrett, Jenkins, Johnson, Kirk, Laws, Spratt, Simmons, Walker, White and Young—16.

NAYS—Messrs. Bernard, Brantly, Davis, Fain, O'Driscoll, Reese, Randall, Tebbs, Vaughan and Waterson—10.

Mr. Stout was excused.

ABSENT—Messrs. Dolman, Kuykendall, Martin, McKinney, Thompson and White—6.

The Committee on Judiciary, &c., to whom was referred "An act to amend an act concerning executions," report the same back, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to, and the bill was rejected by

AYES—Messrs. Speaker, Anderson, Butcher, Bernard, Brantly, Carr, Garvin, Garrett, Johnson, Jenkins, Laws, Randell, Stout, Simmons, Thompson, Tebbs, Vaughan, Walker and Young—19.

NAYS—Messrs. Browne of D., Davis, Fox, Fain, Kirk, O'Driscoll, Reese, Spratt and Waterson—9.

Message from the Council by Mr. Hughes, Clerk:

I am instructed to inform the House that the President of the Council has signed Council bills—

An act in relation to Railroad Companies.

An act to define the duties of Sheriffs and Collectors of the revenue.

An act to organize the county of Breckenridge.

An act to incorporate the county of Breckenridge.

An act to incorporate the Palermo Hotel Company.

An act in relation to resignations.

An act to locate the penitentiary.

The Committee on Judiciary, &c., to whom was referred bill to repeal in part sec. 28 of art. 6 of chap. 129, of "An act regulating practice and proceedings in criminal cases," report the same back, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The bill was read a third time, and passed.

The Committee on Judiciary, &c., to whom was referred a bill amendatory to "An act concerning dram-shops," report the same back, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Judiciary, &c., to whom was referred bill No. 92, "to authorize Judges of the Probate Courts to take the acknowledgment and proof of deeds and other instruments, and to confirm certain acts of the same," report the same back, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The bill was read a third time, and passed.

The Committee on Judiciary, &c., to whom was referred Council bill No. 54, "An act supplemental to an act to regulate proceedings upon writs of mandamus," report the same back, and recommend its passage with the following amendments:

In sec. 1, 2nd line, after words "against any," insert "officer"; in 6th line, after "such," insert the word "officer"; in 15th line, after "such," insert "officer."

In sec. 2, strike out "the district court or any judge thereof," and insert "the chief justice or either of the associate justices."

D. J. JOHNSON, Chairman.

Agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended was read a third time, and passed.

The Committtee on Judiciary, &c., to whom was referred Council bill No. 131, "An act legalizing the acts of the Probate Judge and County Commissioners of Shawnee county," report the same back, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The bill was read a third time, and passed.

The Committee on Judiciary, &c., to whom was referred Council bill No. 42, "An act concerning tender and confession," report the same back, and recommend its passage.

D. J. JOHNSON, Chairman

Agreed to.

The Committee on the Judiciary, &c., to whom was referred Council bill No. 90, "An act providing for the organization of incorporations," report the same back, with the following amendments:

In sec. 1, 6th line, strike out the words "or building and operating any railroad"; in the 10th line, strike out the words "judge of the probate court," and insert "tribunal transacting county business"; and in the 12th line, strike out the words, "or if a railroad in one of the counties through which the said road shall pass."

In sec. 2, 2nd line, strike out "probate court," and insert the words, "tribunal transacting county business."

Add—"Sec. 3. The powers conferred under this act shall not extend beyond the jurisdiction of said tribunal, nor to railroad incorporations."

And, as amended, recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended, was read a third time, and passed.

The Committee on Judiciary, &c., to whom was referred "An act to provide for the distribution of the public documents," report the same back, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The bill was then read a third time, and passed.

The Committee on Judiciary, &c., to whom was referred a bill to amend "An act concerning injunctions," report the same back, and recommend its passage.

D. J. JOHNSON, Chairman.

Agreed to.

The bill was then read a third time, and passed.

The Committee on Judiciary, &c., to whom was referred Council bill No. 53, "An act regulating suits," report the same back, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Judiciary, &c., to whom was referred a bill "declaring Francis Ravilette, a minor, of age for certain purposes," report the same back, and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

The Committee on Judiciary, &c., to whom was referred Council bill No. 66, "An act to amend an act to establish and regulate justices' courts," report the same back, and recommend its passage with the following amendments:

After section 2d, add

Sec. 3. Each municipal township in this Territory shall be entitled to two justices of the peace, unless there be an incorporated city included within its limits, in which case such township shall be entitled to four justices of the peace.

Sec. 4. At the general election for members of the Legislative Assembly for the year 1857, and every four years thereafter, the qualified voters of each township shall elect the justices of the peace for each township, who shall hold their offices for the term of four years, and until their successors shall be duly elected and qualified.

Sec. 5. Every justice of the peace shall have jurisdiction co-extensive with the township in which he is a justice, in all civil matters over which he has cognizance by law, except cases of attachment; provided, however, that when there are two or more defendants residing in different townships, and process has been served upon any one of them, the justice by whom such process was issued shall be empowered to issue secondary original process, returnable before himself, against the other defendant or defendants.

Sec. 6. The defendant (or, if more than one, any one of them) may, after one day's notice, in writing, to that effect, serve upon the plaintiff, or plaintiffs, [notice that he intends to] apply to the justice by whom the process was issued, for a change of venue; and upon his filing his affidavit, that he believes he can not obtain justice on a trial before such justice, such change of venue shall be awarded to him.

By order of Committee.

JOSEPH P. CARR.

Mr. Browne moved to take up bill for relief of George Matney, and amend by substituting $194 70 for $129 80.

The amendment was read a second time, and bill as amended was read a third time and passed.

The bill "to provide for the taking of a census, and for the election of delegates to a Convention" was taken up.

The House then adjourned to 2 o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

The bill to provide for the taking of a census, &c., was taken up, read a first time, and, on suspension of rules, read a second time by its title, and then read a third time and passed by

Ayes—Messrs. Speaker, Anderson, Browne of D., Bernard, Brantly, Carr, Davis, Fox, Fain, Garvin, Garrett, Johnson, Jenkins, Kirk, Laws, Martin, O'Driscoll, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—27.

Nays—None.

Mr. Thompson moved that the Speaker of the House appoint a sufficient number of enrolling clerks to attend to the business. Carried.

Mr. Anderson offered the following concurrent resolution:

Resolved by the House of Representatives of the Territory of Kansas, (the Council concurring,) That two thousand copies of "An act to provide for the taking of a census, and election for delegates to Convention," with the report of the Joint Committee, be printed for equal distribution between the members of the Council and House.

Adopted.

A message from the Governor, by his Private Secretary, was here announced.

Mr. Coffey, a member of the Council, was here announced with a message from the Council announcing the death of Gen. W. P. Richardson.:

Mr. O'Driscoll offered the following resolutions:

Resolved, That it is with sorrow and regret we learn the death of a worthy and esteemed member of the Council, Maj. Gen. Wm. P. Richardson, than whom a better friend and truer heart, more high-toned gentleman, never lived; and, as a man and statesman, has borne confidence and esteem.

Resolved, That we would tender the respect and condolence of this House to his bereaved family and numerous friends; and that we wear the usual badge of mourning for thirty days.

Resolved, That we appoint Hon. T. W. Waterson, a member of this body, in connection with the member appointed by the Council, to escort his remains to the place of interment; that he be authorized to present a copy of these resolutions as a mark of the high regard of this House for the deceased, and for that purpose leave of absence is hereby granted Mr. Waterson.

Resolved, That, in consequence of the death of Maj. Gen. Wm. P. Richardson, the House do now adjourn to Monday morning, at 10 o'clock.

Unanimously adopted.

MONDAY, FEBRUARY 16, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following gentlemen were

ABSENT—Messrs. Dolman, Jenkins, Kuykendall and White.

The Journal of yesterday was read and approved.

The following bills were introduced, read a first and second time, and referred:

By Mr. Fox—A bill to incorporate the Marshall Town Company, and referred to Committee on Corporations.

Mr. Fox introduced a bill "to incorporate the Wanzappa Town Company." Read a first and second time, and referred to Committee on Corporations.

Mr. Martin introduced a bill to incorporate the Spartinsburg Town Company. Read a first and second time, and referred to Committee on Corporations.

The Committee on Militia report the following bill: "An act explanatory of an act organizing the militia," and recommend its passage.

J. W. MARTIN, Chairman.

Agreed to.

Read a third time and passed.

Mr. Jenkins introduced a bill to incorporate the Aurora Town Company. Read a first and second time, and referred to Committee on Corporations.

Mr. Tebbs introduced an act to incorporate the Louisville Town Company. Read a first and second time, and referred to Committee on Corporations.

Mr. Tebbs introduced an act to locate a Territorial road from Olantha to Wakarusa, at Blue Jacket. Read a first and second time, and referred to Committee on Roads and Highways.

Mr. Tebbs introduced an act to incorporate the Olantha Town Company. Read a first, second and third time, and passed.

The Committee on the Judiciary and Criminal Jurisprudence, by Mr. Johnson, introduced the following bill:

An act to organize the probate courts and to define their jurisdiction. Read a first and second time, and referred to Select Committee—Messrs. Tebbs Brantly and O'Driscoll.

The Committee on Bounds of Counties and Districts, to whom was referred Council bill No. 34, entitled "An act more particularly to define the boundaries of the several counties of Kansas Territory," ask leave respectfully to report, that they have given to the bill a careful and mature deliberation. They discovered that the bill contained the most important provisions, perfecting the boundaries of every county in the Territory, presenting features which were the source of much perplexity as to the true boundary lines. To arrive at a definite and reliable solution of a matter of so much moment, they had recourse to the office of the Surveyor General to discover if possible an accurate system to report upon.

They have the honor to report to the House that their efforts have been entirely successful, and that they are enabled to report a bill prepared by the present accomplished Chief Clerk of the Surveying Department, General Maclane. A careful comparison with the office chart, satisfies your committee that the bill here reported is the very best that can be procured as to all the boundaries of all the counties.

With reference to the division of Riley into two counties, namely, Riley and Potawattamie, your committee report that they have approached a consideration of the matter with great caution and solicitude. They are aware that a serious difference of opinion was entertained by a portion of the people of that county as to the propriety and expediency of dividing the county.

With a view to be just and enlightened, they gave to both the contending parties every opportunity of setting forth and establishing their respective positions for or against division; many representations have been made accordingly by both parties, and sometimes of a contradictory nature, but yet not sufficient to prevent your committee arriving at what they believe to be the right views of the case.

By reference to a series of petitions herewith enclosed, it will be perceived that the following statement may be relied upon; names for division of county from West Riley, 119; East Riley, 154—making a total of 273 for division. Names against division from West Riley, 54—giving a difference of 219 in favor of division.

It has been represented to the committee, by statements made by those who opposed the division of the county, that this question was mooted, and made a test of political issue between the rival candidates for a seat in the House of Representatives. With this the committee can have nothing to do, as it has not appeared that any legal evidence has been presented to establish the truth or falsity of the question; but, in order to do equal and as much justice as possible to the contending parties, they forward a certified copy (herewith annexed) of the official vote of Riley county, from which it appears that Mr. Garrett got 125 votes, and his opponent, Mr. Chapman, got 85 votes; this is inclusive of the vote of Davis county (attached), and which of course can have nothing to do with a division of Riley county. It would therefore seem that Mr. Garrett got 56 votes of persons not interested in the question, while Mr. Chapman got 14—a difference of 42 votes in favor of Mr. Chapman; which, if divided, would make for Garrett 69 votes, and for Chapman 71.

It also appears from the official certificate that there was no return made from the Rock Creek precinct (East Riley), which is represented by petition as having over 150 votes. Other papers, called information, have been submitted to the committee, and are herewith forwarded. With a full view of all the facts, the committee feel in duty bound compelled to believe that the majority of the voters of Riley have prayed for a division of said county.

Again, it is not decided that the people of East Riley are unanimously in favor of organizing a new county, to be called Potawattamie; and even if these are in the minority of voters, your committee see no reason why they should not be permitted to set up for themselves, having a sufficiency of land and population.

By reference to a map procured from the Surveyor's office, it will be seen that the Big Blue river naturally divides Riley into two counties, each as large as most of the counties. This river is of difficult passage both in winter and in summer, and this obstruction, together with long distance, compelling the citizens to come from remote parts of the county, in order to transact their county business, in the opinion of your committee, causes grievous vexations and oppression.

The division is one of expediency and necessity; it does no wrong, it deprives of no right, and there is no reason why the two neighboring counties may not repose side by side, and maintain the relations of friendship and independence.

They therefore recommend the passage of the bill as a substitute for Council bill, inasmuch as it contains all the provisions of the Council bill, with the necessary amendments made by the Surveying Department.

W. H. JENKINS, Chairman.

On leave, Mr. Garrett introduced a bill to provide for the county seat of Davis county. Read a first and second time, and referred to Committee on Bounds of Counties and Districts.

On leave, Mr. Garrett introduced a bill to be entitled "An act to incorporate the Hamilton Town Company." Read a first time, rules suspended and bill read a second time by its title, and referred to Committee on Corporations.

On leave, Mr. Garrett introduced a bill to provide for the location of the county seat of Riley county. Read a first time, rules suspended and bill read a second time by its title, and referred to Committee on Bounds of Counties and Districts.

Mr. Butcher, on leave, introduced a bill entitled an act to incorporate the Missouri City Town Company. Read a first time, rule suspended and bill read a second time by its title, and referred to Committee on Corporations.

Mr. O'Driscoll introduced a bill to incorporate the Valley City Town Company.

By leave, Mr. Martin introduced a bill entitled "An act to appoint a codifier of the Statutes of Kansas." Read a first time, and rule suspended and bill read a second time by its title, and referred to Committee on Judiciary and Criminal Jurisprudence.

On leave, Mr. Kirk introduced an act to incorporate the Atchison Mill Company. Read a first time, and rule suspended and bill read a second time by its title, and referred to Committee on Corporations.

On leave, Mr. Walker introduced a bill to authorize the board of county commissioners to appoint inspectors of liquors. Read a first time, and postponed indefinitely.

On leave, Mr. Walker introduced a bill to establish a Territorial road from Leavenworth city to Peora. Read a first time, rule suspended and bill read a second time, and referred to Committee on Roads and Highways.

On leave, Mr. Walker introduced a bill to establish a ferry at Parrish's Landing on Kaw river. Read a first time, and rule suspended and bill read a second time, and referred to Committee on Roads and Highways.

On leave, Mr. Walker introduced a bill to establish a ferry. Read a first time.

On leave, Mr. Thompson introduced a bill to incorporate the Versailles Town Company. Read a first time, and rule suspended and bill read a second time, and referred to Committee on Corporations.

On leave, Mr. Thompson introduced a bill to incorporate the Lexington Town Association. Read a first time, rule suspended and bill read a second time by its title, and referred.

The Committee on Education, to whom was referred a bill, "An act to amend an act to provide for common schools," report the same back to the House, and recommend its passage.

JOS. P. CARR, Chairman.

Agreed to.

The Committee on Education, to whom was referred a bill entitled "An act to amend an act regulating and managing the Territorial library," report the same back to the House, and recommend its passage.

JOS. P. CARR, Chairman.

Agreed to.

On leave, Mr. Bernard introduced a bill to incorporate the Centropolis Town Company. Read a first time, and rules suspended, and bill read a second time, and referred to Committee on Corporations.

On leave, Mr. Martin introduced a bill entitled "An act to locate the county seat of Riley county." Read a first time, and rules suspended, and bill read a second time by its title, and referred to Committee on Bounds of Counties and Districts.

On leave, Mr. Fox introduced a bill to establish a Territorial road from Ossawattamie to Paris, in Linn county. Read a first time, and rules suspended, and bill read a second time by its title, and referred to Committee on Roads and Highways.

On leave, Mr. O'Driscoll introduced a bill to borrow money for Territorial purposes. Read a first time, and rules suspended, and bill read a second time, and referred to Committee on Finance.

Message from the Council by Mr. Hughes, Chief Clerk:

I am instructed by the Council to inform the House that the Council has passed the following Council bills:

An act to incorporate the Heiskell College.

An act to incorporate the Centropolis College.

And, also, that the following enrolled Council bills have been signed by the President of the Council:

An act in relation to Railroad Companies.

An act to define the duties of Sheriffs and the Collectors of the revenue.

An act to locate the Penitentiary.

An act in relation to resignations.

An act to organize the county of Breckenridge.

An act to incorporate the Palermo Hotel Company.

An act to incorporate the Prairie City Coal Mining Company.

And that the President has signed the following enrolled House bills:

An act to incorporate the Wakarusa City Company.

An act to incorporate the Wakarusa Seminary.

An act to incorporate the St. George and St. Joseph Railroad Company.

An act to incorporate the Town Company of Charlottsville.

The Committee on Engrossed and Enrolled Bills report the following bills as truly enrolled:

An act to locate a Territorial road from Doniphan to Claytonsville.

An act to locate a Territorial road from Ladonia to a point opposite St. Joseph, Missouri.

W. A. M. VAUGHAN, for the Com.

The following message from the Governor was read:

Gentlemen of the House of Representatives—

I have the honor to return to you with my approval the following bills, to-wit:

An act to locate a Territorial road from the city of Lecompton to the county seat of Allen county.

An act to amend an act concerning strays.

An act to incorporate the Manhattan Institute.

An act to incorporate the city of Atchison.

An act to amend an act entitled "An act to incorporate he city of Lecompton."

An act to incorporate the Town Company of Eureka.

An act to incorporate the town of Shannon.

An act to incorporate the Manhattan Association.

An act to charter a ferry across the Kansas river.

An act to incorporate a ferry at Calhoun, in the Territory of Kansas.

An act to incorporate the Brownsville Town Company.

An act to incorporate the Newcastle Town Company.

An act supplemental to an act to provide for the location of Territorial roads in the Territory of Kansas.

An act to incorporate the Town Company of Vermillion City.

An act to legalize the acts of the board of County Commissioners of the county of Anderson.

An act regulating hedging on roads and highways.

An act to incorporate the Topeka Bridge Company.

An act to authorize William F. & G. M. Dyer to build a bridge across the Grasshopper creek, at the town of Osawkee, in Jefferson county.

An act to incorporate the Sprattsville Town Company, in Bourbon county.

An act to incorporate the Atchison Hotel Company.

An act incorporating Manhattan city, K. T.

An act to incorporate the Woodson Town Company.

An act to incorporate the Town of Mount Pleasant.

An act to incorporate the Town of St. Bernard.

An act to incorporate the Greenwood Town Company, in Browne county.

A bill to incorporate the Palmetto Town Company.

An act to incorporate the city of Palermo.

An act to incorporate the Tauroma Town Company.

An act to incorporate the Big Spring Town Association.

An act to incorporate the Town Company of Wyola.

An act to incorporate the Town of America.

An act to incorporate the Town Company of Peora.

An act to incorporate the City of Topeka.

An act to detach the county of Browne from the county of Doniphan, and to organize Browne county.

An act to incorporate the city of Iowa Point.

An act to establish a Territorial road from Vermillion City to Atchison.

An act to incorporate the Town of Paris, in the county of Linn.

An act to incorporate the Missouri River and Nemaha Valley Railroad Company.

An act to locate and establish a Territorial road from the Missouri State line to Cofachique.

An act to incorporate the Newcastle Coal and General Mining Company.

An act for the relief of the collectors of the public revenue.

An act to establish a ferry across the Kansas river, at the crossing of the Territorial road running from Bernard's store to Leavenworth.

JOHN W. GEARY,
Governor of Kansas Territory.

The Committee on Engrossed and Enrolled Bills report the following bills as truly enrolled:

An act to authorize the City of Leavenworth to borrow money.

An act to declare the military road from Fort Riley to Bent's Fort a Territorial road.

An act for prescribing oaths of officers and others in the Territory of Kansas.

J. C. THOMPSON, Chairman.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred House bill "Amendatory to the laws of the Territory of Kansas in relation to the duties of Commissioners' Courts, County Clerks, and County Treasurers, &c., in relation to county warrants," report the same back, and recommend its passage with the following amendments:

Strike out the title, and substitute "An act defining the powers and duties of County Commissioners and other county officers in certain cases," and add the following to section 9: "All acts and parts of acts inconsistent with and contrary to the provisions of this act are hereby repealed."

J. C. ANDERSON, for the Committee.

Agreed to.

By suspension of rules, the amendments were read a second time, and bill as amended considered as engrossed, read a third time and passed.

Mr. Simmons, on leave, introduced the following bill to amend the city charter of Leavenworth. Read a first time, and on suspension of rules the bill was read a second time by its title, and referred to Committee on Judiciary and Criminal Jurisprudence.

On leave, Mr. O'Driscoll introduced the following: "An act to incorporate the Doniphan Improvement Company." Read a first time, and on suspension of rules read a second time, and referred to Committee on Corporations.

The Committee on the Judiciary, to whom was referred Council bill 142, entitled "An act to incorporate the Laurel Hill Cemetery Association," report that the powers herein granted are usual and just, and recommend its passage.

J. C. ANDERSON, Chairman.

The bill was read a third time.

Mr. Browne of D. moved to strike out "R. L. Johnson," and insert "John Donaldson." On motion to suspend the rules to read a third time, was lost by

AYES—Messrs. Browne of D., Carr, Davis, Kirk, Martin, Spratt, Walker and Young—8.

NAYS—Messrs. Speaker, Anderson, Butcher, Brantly, Fox, Fain, Garvin, Jenkins, McKinney, O'Driscoll, Randall, Simmons and Vaughan—13.

Mr. Brown of D., moved to add "John Donaldson" to the list of incorporators. Carried.

Mr. Brown of D. moved to amend by adding "J. C. Thompson and S. J. Jones."

A motion to suspend the rules and read the amendment a second time was made and lost by

AYES—Messrs. Browne of D. Carr, Davis, Garrett, Jenkins, Kirk, Martin, O'Driscoll, Spratt, Simmons, Thompson, Tebbs and Young—13.

NAYS—Messrs. Speaker, Anderson, Butcher, Bernard, Brantly, Fox, Fain, Garvin, Randall, Vaughan and Walker—11.

The amendment was read a first and second time, and bill as amended read a third time and passed.

Mr. Tebbs moved to reconsider the vote postponing indefinitely the bill incorporating the Kansas Navigation Company. Carried.

On leave, Mr. Walker introduced a bill entitled "An act in relation to trespass on school lands." Read a first time.

Mr. Fox moved to postpone the bill indefinitely. Lost.

On suspension of rules, the bill was read a second time by its title, and referred to Committee on Education.

Mr. O'Driscoll introduced a bill to incorporate the Doniphan Coal Company. Read a first time, and, on suspension of rules, read a second time by its title, and referred to Committee on Corporations.

Report of the Committee on Federal Relations.

The Committee on Federal Relations, to whom was referred that portion of the Governor's message not otherwise disposed of, offer the following report:

We, the Representatives of the people of Kansas Territory, accept with feelings of unfeigned pleasure the congratulations of His Excellency, and assure him of a hearty co-operation, so far as it may be in our power, safely and permanently to preserve peace and content throughout the entire bounds of Kansas; so that we may be enabled to "build up a model Commonwealth," enriched with all the treasures of learning, virtue and religion, and make it a choice heritage, pleasant and profitable to our citizens and a pride to our Union."

We believe that Democracy is the strong hope of the Union, and it is becoming in us sincerely and earnestly to advocate the sound and conservative principles of that great national party, and to sustain His Excellency in the furtherance of such sterling maxims as are "sanctioned by the wisdom and experience of the past," the true observance of which will render Kansas one of the wealthiest and most prosperous States in the Union.

As members of the Law and Order party, it is now and ever has been our aim to do justice to all men, of every political shade and difference, and to preserve pure from partisan enthusiasm or rabid fanaticism the great principles upon which our liberties are based. It has, and will always be, the true endeavor of the party which we represent in Kansas, to engender in the minds of every citizen a pride that he is an American citizen; to know no party, no section, but only the interests of this Territory, and the preservation of the Union. We have have ever been ready to bury the hatchet, raised against that invading horde of anti-slavery fanatics who were governed by no law, no reason, no mercy, in the mausoleum of the past; to refrain and restrain the indulgence of harsh feelings and bitter acts; and, as an evidence of the principles of our party, we appeal confidently to our past history as an exhibition of our disposition not to raise our arms against American citizens; and to forbear even against treason and treasonable conspiracies in our midst. We are now, and ever have been, ready to devote ourselves "to the true and substantial interests of Kansas;" to cultivate fraternal feelings among the people; to develope her rich agricultural and mineral resources; build up manufactures; make public roads and other works of internal improvement; prepare for the education of the children, and do all other things which may be necessary to make our country the sanctuary, where the rights of the commonwealth, the citizen, and the individual, will be protected inviolate.

We can not but review the past history of Kansas with sadness and regret. She has been the theatre of contention and strife, and fratricidal blood even now calls to high Heaven for revenge; our land has been overrun by fanatical predatory bands—regardless of law, reason, and the dictates of mercy, laying waste fields "ripe unto the harvest"—applying the torch to the squatter's humble cabin—driving his family, houseless, provisionless, and unclothed, upon the broad prairies, to bear, with all its hardships, the rough climate and life of a new country. Aye! the gentle and kind influence of woman, her prayers said "through a multitude of tears;" her earnest and sympathizing tones of entreaty, have been disregarded, and, with a barbarity hardly surpassed by the most uncivilized savage, she has been subjected to insults of the most heinous nature. We can congratulate our party that these have only been the acts of those who have been enshrouded by the dark pall of anti-slavery fanaticism; and we hope that the time is not far distant when "the true picture will be drawn by the iron pen of impartial history, and the actors in the various scenes assigned their true position."

In the midst of our troubles the President of the United States sent to us, as Governor, a stranger, with strong feelings of suspicion arrayed against him, which we hope, for the sake of our country, may not prove to have been well founded; and yet the Law and Order party extended to him, at the time of greatest excitement, the open and generous hand of confidence, and heartily co-operated with him by "returning from the field of strife," when their power was overwhelming.

The effect has been advantageous to the peaceable citizens of Kansas. He, with the co-operation of law-abiding citizens, has succeeded in restoring public peace. It is true that gross outrages are occasionally perpetrated against good citizens by some of those who took up arms against the laws; but there are no longer armed companies, who carry opposition to our law, by the shedding of blood. We hope that peace may be entirely restored. We hope that treason is not merely slumbering. We are anxious to believe that they are not now plotting treason; but we can not have complete confidence, while there is in our midst a large number of Black Republican traitors, who boast that they will resist to the sword any law for the protection of slavery which is attempted to be enforced against them, or its constitutional establishment in Kansas. The law has never been successfully executed against these men. They have resisted the officers when not accompanied with a sufficient posse, and when the posse was sufficiently strong to execute process, they have evaded them. Such men we can never respect. They are traitors. They have endeavored to tear into fragments the charter of our liberties. They have caused the hearths of good citizens to reek with the blood of butchered innocence. They came to destroy our peace, and did it. There is no good in them. Who can tell but that their present apathy is in view of prospective wholesale treason!

Your committee can not coincide with His Excellency in his views with regard to a question which has so long divided the American people. He declares that "the Territorial Government should abstain from the exercise of authority not clearly delegated to it, and should permit all doubtful questions to remain in abeyance until the formation of a State Constitution. On the delicate and exciting question of slavery, a subject which so peculiarly engaged the attention of Congress at the passage of our Organic Act, I can not too earnestly invoke you to permit it to remain where the Constitution of the United States and that Act place it, subject to the decision of the Courts upon all points arising during our present infant condition."

While your committee concur in the opinion that the Legislature should carefully "abstain from the exercise" of all doubtful authority, "not clearly delegated," yet we can not see the expediency of repealing all statutes which relate to the protection of slave property; but on the contrary, under present circumstances, and from the conflict of opinion in regard to the consequences following no legislation upon such a subject, held by many influential members of Congress and also by a large portion of our own citizens, we see much difficulty arising to persons owning slaves in our midst, unless some express statute clearly protects them in the use and benefit of that property.

The act organizing the Territories of Nebraska and Kansas, grants to the Legislatures of those Territories the full right to legislate upon all rightful subjects of legislation. Your committee believe that the decision of "slavery" or "no slavery," in Kansas, resides only with the people, when the time arrives for throwing aside its so called "infant" condition, and taking its ranks among the sovereign States of the Union.

We believe that when the time arrives to form a State Constitution, the will of a majority of the actual and bona-fide residents shall obtain in full force, and that Congress is then bound to admit her without reference to any constitutional provision in regard to slavery.

The people of all the States have an equal right to enter into the Territory, and we are guarantied alike in our persons and property by the constitution, which clearly recognizes the right of property in slaves. A Territorial government is granted us, and a Territorial Legislature is authorized to make all needful laws for the protection of our persons, our rights and our property, to prevent anarchy during that Territorial condition. Personal rights could not be successfully maintained in any other way. By reference to the treaty of cession, we there find it specially provided, with a view to the protection of slave property, that the inhabitants of this Territory, from its cession to its admission as a State, "shall be maintained and protected in the full enjoyment of their Liberty, Property, and the Religion which they profess."

Kansas has, therefore, delegated to her Legislature the power to protect slave property by that treaty, by the Constitution, and by the Organic Act itself, until the time arrives when her citizens shall frame a Constitution either prohibiting or recognizing slavery.

We can not, therefore, discover, and do not believe, that the authority spoken of is doubtful, or that all laws relating to slave property, to which His Excellency refers, attack the equality which underlies the very theory of our Territorial Government, and destroy the freedom of speech and the privilege of public discussion, which is so essential to uncloak error, and enable the people properly to mould their institutions in their own way. We have traced the power to pass those laws from the treaty of Cession to the Organic Act itself; it is derived from the great and true principles of popular sovereignty, recognized in the late Cincinnati Platform as the corner-stone and foundation of our republic, and since endorsed by the American people in the election of James Buchanan; it is justified in the axiom, that a man's right to his property is natural and inherent, and paramount to all legislative or constitutional sanction or prohibition.

The right to hold property in slaves existed, as we have shown, anterior to its organization as a United States Territory. Slavery existed here at our organization, and slaves were held by our citizens as property. One fundamental object of legislation is to protect property; and our Legislature, whether it had or had not the power to prohibit or establish slavery, had most certainly the authority, and were in duty bound, to pass such laws for the protection of that species of property as were deemed expedient, provided these laws were not in violation of the Constitution of the United States and our Organic Act. This power, as has been observed, is in accordance with that great principle of the Democratic party which recognizes the right of the people of any State or Territory to legislate exclusively for themselves, subject only to natural right and constitutional provisions. Consequently, the exercise of this power can not be at variance with the very theory of our government.

The question to be considered then, is, do those laws conflict with the letter of the Constitution? Your committee have never seen any serious argument to prove such a conclusion; it would, therefore, be an act of supererogation in us to refute such an assumption. The conclusion then to which we are compelled is, that the acts referred to are both legitimate and just. They provide for the punishment of high crimes; for raising insurrections among negroes, for stealing slaves, and with the intent of rendering precarious slave property. They were passed in defiance of vested rights, and can not be honestly regarded as aggressive. They do not interfere with the liberty, property or religion of any one. They are operative and effective only upon a flagrant violation of guarantied rights. The laws provide for nothing more, and can not be regarded by right-minded and sober-thinking men as a violation of the principles of our government. Those persons who are inclined to be just, and who pursue the path of honor, and deprecate an invasion upon the rights of others, need not fear the laws. The present Legislature has already modified those laws. It was done to satisfy friends, who deemed them unnecessary, and calculated to create a false impression upon the mind. Policy dictated the partial repeal which has been made; principle and feelings of patriotism did not: for a reverential awe for the Constitution could have been as well fostered and nourished with what has been repealed upon the statute books as without. We therefore believe that the laws for the protection of slave property should by all means be allowed to remain upon the statute book, and, if necessary, be amended so as to more effectually protect that species of property. Your committee are, however, willing that our laws should be tested by the general and fundamental principles of our government; and that all which will not bear this ordeal, be revised, amended, or repealed.

Your committee recommends the co-operation of the House with his Excellency in petitioning Congress to provide for the payment of damages which have been sustained by many unoffending citizens during the disturbances which have been so rife in the Territory. There are many good and true citizens who have been robbed of all they possessed of this world's goods; had their improvements destroyed, and their wives and children turned out upon the cold charity of the world, dowerless and unportioned, by the many predatory bands of fanatical adventurers. Your committee are pleased to notice that our worthy Representative in Congress has introduced such a bill, and would suggest the propriety of a memorial to Congress on the subject, urging speedy action, and recommending the exclusion of those who took up arms against the laws, and whose property may have been destroyed in the protection of life, or in the execution of legal process.

We would especially call attention to the fact that there are many discrepancies between the enrolled statutes and those in the printed book, as well as gross errors in the Organic Act as published in our statute book, and would suggest the propriety of appointing some suitable person to correct these errors.

We, also, endorse the action of his Excellency in his recommendation to Congress for large appropriations, to aid us, so peculiarly situated by our past history, in throwing aside the shackles of penury, which have bound us prostrate, and thus enable us, by one great stride, to make up past deficiencies, and assume the rank to which by our climate, our soil, and the character of our inhabitants, we are so justly entitled. And as one great link in the chain of our prosperity is the early extinguishment of Government title in the lands, and its possession in the hands of the actual settlers, we recommend the establishment of two or more additional land offices, and co-operation in this measure also with our worthy Representative by memorial.

We can endorse fully his Excellency's recommendation in reference to the large Indian reservations in our midst, and think it advisable on the part of the House to prepare, in conjunction with the Council, a memorial to Congress and the President, for the early extinguishment of the Indian title to these lands.

In conclusion: Your committee can but regret the excesses that have been committted by irresponsible persons, claiming to be Law and Order. We have ever tried to be just and patriotic in our endeavors; the past we bury in oblivion, and, disclaiming all sectional or partisan feeling and names, we rally around the great principles of National Democracy, as those which are indeed "the savor of life unto life" to Kansas, and around which the Constitution and the Union circle—the great and abiding landmarks of this Republic, which no fanatical, fatricidal or partisan hand should touch with impunity, and in which only justice and patriotism delight.

JOS. C. ANDERSON, Chairman.

The bill to incorporate the Kansas River Navigation Company was taken up. Mr. Tebbs moved to amend by striking out "J. E. Walker and George Belt," and insert "G. M. Dyer and P. M. Hodges," in first section. Amendment was read a first time, rules suspended, and amendment read a second time; rules suspended, and bill as amended considered as engrossed, read a third time, and passed by

Ayes—Messrs. Speaker, Anderson, Butcher, Carr, Davis, Kirk, Martin, McKinney, O'Driscoll, Reese, Randall, Spratt, Simmons, Thompson, Tebbs, Walker and Young—17.

Nays—Browne of D., Bernard, Brantly, Fain, Garvin, Garrett, Jenkins, Laws and Vaughan—9.

On leave, Mr. Walker introduced a bill to distribute the laws. Read a first time, and on suspension of rules, read a second time by its title, and referred to Committee on Judiciary and Criminal Jurisprudence.

The House then adjourned until 2½ o'clock, P. M.

AFTERNOON SESSION

House met pursuant to adjournment.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 118, entitled "An act to punish slander and libel," report the same back to the House and recommend its rejection.

D. J. JOHNSON, Chairman.

Message from the Council by Mr. Hughes, Chief Clerk:

Mr. Speaker—I am instructed to inform the House that the Council has passed the following House bill:

An act to incorporate the Kansas Valley Bank.

And, also, that the President of the Council has signed the following House bills:

An act to amend an act to prevent the firing of woods, marshes and prairies.

An act to incorporate the town of Agnes City.

An act to incorporate the Franklin Town Company.

An act to incorporate the Willow Spring Town Company.

The bill re-organizing the boundaries of the several counties of the Territory of Kansas was taken up, and read a second time.

Mr. Browne of Douglas, moved to strike out in section 6, the following—"13, 14, 23 and 24," and insert "14, 15, 22 and 23."

Mr. Anderson moved a call of the House. Carried.

And the Sergeant-at-Arms was sent after the absentees, viz: Messrs. Butcher, Fox, O'Driscoll and White.

The Sergeant-at-Arms returned with Messrs. Butcher, O'Driscoll and Fox.

Mr. Anderson moved that the further call of the House be dispensed with. Carried.

On motion of Mr. Brantly, the question was laid over until to-morrow.

The following Council bills were taken up:

An act to incorporate the Virginia Town Company, was read a first time, rules suspended, and bill read a second time by its title, rules suspended, and bill read a third time, and passed.

An act to incorporate the Moneique Town Company. Read a first time, rules suspended, and bill read a second time by its title, rules suspended, and bill read a third time and passed.

An act to incorporate the Nicaragua Town Company. Read a first time, rules suspended, and bill read a second time by its title, and rules suspended, and bill read a third time, and passed.

An act to incorporate the Midway Town Company. Read a first time, and on suspension of rules bill read a second time by its title, and rules suspended, and bill read a third time, and passed.

An act to incorporate the Chaumier Town Company. Read a first time, rules suspended, and bill read a second time by its title, and on suspension of rules the bill was read a third time, and passed.

An act to incorporate the Madison Town Company. Read a first time, and on suspension of rules the bill was read a second time by its title, and rules suspended, and bill read a third time, and passed.

An act to incorporate the Rising Sun Town Association. Read a first time, and on suspension of rules bill read a second time by its title, and on suspension of rules was again read a third time, and passed.

An act to incorporate the Shenandoah Town Company. Read a first time, and on suspension of rules the bill was read a second time by its title, rules suspended and bill read a third time, and passed.

An act to incorporate the Buchanan University. Read a first time, and on suspension of rules the bill was read a second time by its title, and on suspension of rules the bill was read a third time and passed.

An act to establish a Territorial road from the city of Lawrence to the town of Burlington, in Coffey county. Read a first time, and rules suspended and bill read a second time by its title, and referred to Committee on Roads and Highways.

An act to incorporate the St. Joseph and Topeka Railroad Company. Read a first time, and rules suspended and bill read a second time by its title, and referred to Committee on Internal Improvements.

An act extending and defining the jurisdiction of Probates. Read a first time, and rules suspended and bill read a second time by its title, and referred to Special Committee—Messrs. Tebbs, Brantly and O'Driscoll.

An act to incorporate the Roseport and Life Insurance Company. Read a first and second time, and referred to Committee on Corporations.

The Committee on Engrossed and Enrolled Bills report as truly enrolled the following bills:

An act supplemental to an act to grant pre-emption in school lands in certain cases.

An act to locate a Territorial road from Palermo to Fort Riley.

An act to incorporate the Atchison and Lecompton Railroad Company.

An act to establish a Territorial road from Lecompton to Richmond, the county seat of Nemaha county, and to other places.

An act to incorporate the Atchison and Fort Riley Railroad Company.

An act to incorporate the Kansas Valley Bank.

A message from the Council by Mr. Reese, a member:

I am instructed to inform the House that the Council has amended and passed the following House bills:

An act to locate permanently the county seat of Leavenworth county.

An act to incorporate the Neoma Town Association.

An act to incorporate the Sebastian Town Association.

An act to incorporate the Atchison and Palmetto City Railroad Company.

Leave of absence was granted to Messrs. Martin and White.

The following House bills, with Council amendments, were taken up; amendments read a first, second and third time, and agreed to:

An act to incorporate the Neoma Town Association.

An act to incorporate the Sebastian Town Association.

An act to incorporate the Atchison and Palmetto City Railroad Company.

The House then adjourned to 7 o'clock, P. M.

EVENING SESSION.

Council bills taken up and disposed of in the following manner:

An act to prescribe the time and places of holding the District Courts in the Territory of Kansas, was read a first time, and on suspension of rules the bill was read a second time by its title, and indefinitely postponed.

An act to incorporate the Centropolis College, was read a third time and passed.

An act to incorporate the Heiskell College, was read a third time and passed.

The House bill "to locate permanently the seat of justice of Leavenworth county" was taken up, and having been amended by the Council, the amendment was read a first time, and on suspension of rules read a second and third time, and agreed to.

Report of Committee on Public Buildings was taken up and agreed to.

By unanimous consent, Mr. Anderson was allowed to introduce a bill to authorize the Convention to proportion the Representatives for the next Legislature of Kansas.

The Committee on Corporations, to whom was referred House bills No. 118, 126 and 137, report the same back to the House, and recommend their passage.

B. F. SIMMONS, Chairman.

Agreed to.

On suspension of rules "An act to incorporate the Louisville Town Company" was considered as engrossed, read a third time and passed.

An act to incorporate the Spartinsburg Town Company was, on suspension of rules, considered as engrossed, read a third time and passed.

An act to incorporate the Atchison Hotel Company was taken up, rules suspended and considered as engrossed, read a third time and passed.

Message from the Council by Mr. Reese, a member:

I am instructed to inform the House that the President of the Council has signed the following Council bill:

An act to incorporate the Kansas River Navigation Company.

And also the following House bills:

A bill to incorporate the Kansas Valley Bank.

An act to incorporate the Atchison and Fort Riley Railroad Company.

An act to incorporate the Atchison and Lecompton Railroad Company.

An act to locate a Territorial road from Palermo, to Fort Riley.

An act supplemental to an act entitled "An act to grant pre-emptions on school lands."

An act to establish a Territorial road from Lecompton city to Richmond, in Nemaha county.

Report of Committee on Education, to whom was referred "An act to amend an act regulating and managing the Territorial Library," report the same back to the House without amendment, and recommend its passage.

JOSEPH P. CARR, Chairman.

Agreed to.

The bill was, on suspension of rules, read a third time and passed.

The Committee on Education, to whom was referred, "An act to provide for Common Schools," have had the same under consideration, and report the same back to the House without amendment, and recommend its passage.

JOSEPH P. CARR, Chairman.

Agreed to.

The bill was read a second time by its title, and rules suspended and bill read a third time, and passed.

Mr. Kirk, by unanimous consent, introduced the petitions of sundry citizens of Atchison and Doniphan counties, for roads, which were read and referred to Committee on Roads and Highways.

The House then adjourned.

TUESDAY, February 17, 1857.

House met pursuant to adjournment.

Reports of Standing Committees.

The Committee on Corporations, to whom was referred House bills Nos. 145 and 143, recommend their passage.

B. F. SIMMONS, Chairman.

Agreed to.

On motion to consider House bill No. 145, "An act to incorporate the Doniphan Improvement Association," was carried by

Ayes—Messrs. Anderson, Butcher, Bernard, Brantly, Davis, Dolman, Fox, Fain, Johnson, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Stout, Spratt, Simmons, Vaughan, Walker and Young—20.

Nays—Messrs. Carr, Garvin, Kirk, Martin, Randall and Mr. Speaker—6.

Absent—Messrs. Browne of D., Garrett, Jenkins, Thompson and Tebbs.

The bill was read a third time and lost by

Nays—Messrs. Speaker, Anderson, Carr, Dolman, Fain, Garvin, Johnson, Kirk, McKinney, Randall, Tebbs, Vaughan, and Young—13.

AYES—Messrs. Butcher, Brantly, Davis, Fox, Kuykendall, Laws, O'Driscoll, Reese, Stout, Spratt, Simmons and Walker—12.

Mr. Browne of D. was excused from voting.

Bill No. 143, "An act to incorporate the Doniphan Coal Company," was considered as engrossed, read a third time and passed.

The Committee on Education, to whom was referred House bill No. 144, entitled "An act in relation to trespass on school lands," report the same back with the following amendments, and recommend its passage:

Strike out all after the enacting clause, and insert

Sec. 1. If any person who shall cut down, injure, destroy or carry away any trees, timber or wood standing, being or growing upon, or shall dig up, quarry or carry away any stone, coal or mineral from the land appropriated to school purposes in this Territory, the person so offending shall forfeit and pay to the county wherein such offence is committed, to the use of the school fund, treble the value of the things so injured, broken, destroyed or carried away, with costs.

Sec. 2. All penalties contained in the preceding section may be recovered by action of trespass or debt, founded on the statute, or by indictment by any court having jurisdiction of the same.

Sec. 3. It shall be the duty of every constable, justice of the peace, or sheriff, having knowledge of the commission of any of the offences enumerated in the first section, within the limits of their county, to prosecute the same.

JOSEPH P. CARR, Chairman.

Agreed to.

The amendments, by suspension of rules, were read a second time, and bill considered as engrossed, and bill as amended read a third time and passed.

The Committee on Roads and Highways, to whom was referred petitions Nos. 151 and 156, of sundry citizens of Atchison and Doniphan, are of the opinion that the counties over which said roads are prayed to pass, are now amply provided with Territorial roads. Your committee therefore recommend their rejection.

JAMES KUYKENDALL, Chairman.

Agreed to.

The Committee on Roads and Highways, to whom was referred Council bill No. 144, entitled "An act to establish a Territorial road from the city of Lawrence to the town of Burlington, in Coffey county, recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 48, "An act to establish a Territorial road from the town of Delaware to Lecompton," recommend its rejection.

JAMES KUYKENDALL, Chairman.

Agreed to.

The Committee on Roads and Highways, to whom was referred House bill "to establish a Territorial road," recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Internal Improvements, to whom was referred Council bill No. 91, "to incorporate the Eastern Kansas and Gulf Railroad Company," recommend its passage with the following amendment:

Strike out the whole of section 17.

B. O'DRISCOLL, for the Committee.

Agreed to.

The amendment was read a second time, and bill as amended considered as engrossed, read a third time and passed.

The Committee on Internal Improvements, to whom was referred House bill "to incorporate the Delaware and Lecompton Railroad Company," recommend its passage with the following amendment:

"That the provisions of section 20 of an act to incorporate the Central Railroad Company, passed at the last session of the Legislative Assembly, is not granted to said Railroad Company."

And that said proviso is substituted by the following:

"Provided, that the powers herein conferred shall not be exercised until the Kansas Valley Railroad shall fail for one year from the passage of this bill to organize and efficiently commence the work under their charge on the south side of Kansas river; and provided further, that the company herein incorporated may organize under the provisions of this act, and proceed at once to construct a railroad from any point on the Wyandott land to connect with the Kansas Valley railroad on south side of Kansas river, at a point not exceeding two miles from the Missouri river."

W. H. JENKINS, Chairman.

Agreed to.

By suspension of rules the amendment was read a second time, and bill as amended was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill "to locate a Territorial road from the town of Palermo to the town of Claytonsville," recommend its passage.

JAMES KUYKENDALL, Ch'n.

Agreed to.

The bill was read a third time and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Hamilton Town Company, report the same back, and recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

By suspension of rules, the bill was considered as engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill to incorporate the Marshall Town Company, report the same back to the House, and recommend its passage with the following amendment:

Section 5. It is not the intention of this act to confer any privileges inconsistent with the laws of Congress in relation to pre-emption of town sites.

B. F. SIMMONS, Chairman.

Agreed to.

The amendment was read a second time, and on suspension of rules the bill as amended was read a third time, and passed.

The Committee on Corporations, to whom was referred the bill to incorporate Valley Town Company, report the same back to the House and recommend its passage.

B. F. SIMMONS, Chairman.

Adopted.

The bill was considered as engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill No. 133, "An act to incorporate the Centropolis Town Company," report the same back to the House, and recommend its passage without amendment.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill to establish a ferry at Palermo, in Doniphan county, report the same back to the House and recommend its passage.

JAS. KUYKENDALL, Chairman.

The bill was considered as engrossed, read a third time and passed by

Ayes—Messrs. Anderson, Bernard, Dolman, Fox, Fain, Garvin, Kuykendall, Laws, O'Driscoll, Reese, Randall, Simmons, Thompson and Vaughan—14.

Nays—Messrs. Speaker, Browne of D., Carr, Davis, Garrett, Johnson, Jenkins, Kirk, Martin and Tebbs—10.

The Committee on Corporations, to whom was referred Council bill to extend the time granted to James Findlay to build a bridge across the Wakarusa, report the same back, and recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill to establish a road from Wyandott to Atchison, &c., are of opinion that a Territorial road was established by the first Territorial Legislature, running on or near the route prayed for, which bill has been revived by the present Legislature, and recommend its rejection.

JAS. KUYKENDALL, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred House bill to establish a Territorial road from Ossawattamie to Paris, in Linn county, report the same back, and recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill No. 141, to establish a Territorial road from Wakarusa City to Council Grove, recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill to establish a Territorial road from Leavenworth to Peora, recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Higways, to whom was referred House bill to establish a ferry ten miles from the mouth of Kansas river, recommend its passage with the following amendment:

Sec. 8. The said M. D. Hall and his associates shall not be privileged to keep the landing of said ferry within less than five miles from the mouth of the Kansas river.

JAS. KUYKENDALL, Chairman.

Agreed to.

Mr. Anderson offered the following amendment:

Sec. 9. Nothing in this act shall be so construed as to interfere with the ferry privileges of the Wyandott Nation, as secured by treaty of the year 1855.

By suspension of rules, the amendment was read a second time, and bill as amended considered as engrossed, read a third time and passed.

The Committee on Federal Relations, to whom was referred House bill "authorizing the Convention to apportion representation in the next Legislative Assembly," have had the same under consideration, and report—

That the plan proposed for apportioning representation in said bill is impracticable, as the Convention which is authorized under the provisions of said bill to make said apportionment, can not under the law meet before the 1st Monday in September, and the election for members to the Legislative Assembly is fixed by law for the 1st Monday in October. It would not be in the power of any body of persons, meeting at that time, to conform to the provisions of the bill sufficiently soon, for the various and remote portions of the Territory to receive the proclamation provided to be made by said bill in time for the people to select their various candidates. Indeed, the citizens of Kansas would have no certainty on which they could rely, until it was too late for the meeting of the voters of the Council and Representative Districts in which they resided. The consequence is, that the election would go by default.

We therefore recommend the passage of the following bill as a substitute therefor:

An act to define and establish the Council and Representative Districts for the Second Legislative Assembly and for other purposes.

J. C. ANDERSON, Chairman.

Agreed to.

The bill was read a first time, and on suspension of rules the bill was read a second and third time, and passed.

The Committee on Finance, to whom was referred "An act to borrow money for Territorial purposes," recommend its passage.

O. H. BROWNE, Chairman.

Agreed to.

The bill was read a third time and recommitted.

Mr. Thompson offered the following resolution:

Resolved by the House of Representatives, the Council concurring therein, that the two Houses go into Joint Session to-morrow morning at 1 o'clock, for the purpose of filling the vacancies of District Attorneys for the 2d and 3d Judicial Districts, and all other vacancies over which the two Houses have jurisdiction.

Adopted.

The House then adjourned until 2½ o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

The Select Committee to whom was referred "An act to organize the Probate Courts and define their jurisdiction," find that it provides for the establishment of six Probate Districts, and incumbents with salaries of $1500 each, and will extend criminal jurisdiction, thereby rendering the Territory liable for all costs and expenses arising from prosecutions, such as the fees of juries, witnesses and attorneys, to an amount probably equal to officers' salaries, and thus swelling the expenditures under said bill to nearly $18,000 per annum—a sum which will compel us to submit to an exorbitant tax for years; whereas the expenses of criminal prosecutions in the District Courts are paid by the General Government, and we are only taxed with the inconvenience of attending prosecutions in said courts.

For these reasons, your committee would recommend the rejection of said bill, and the adoption of Council bill No. 151, of the same tenor, wherein the objections spoken of are obviated by permitting the present incumbents to have more extended jurisdiction; but believing that the jurisdiction of said courts should only extend to cases where fines and imprisonment in county jails are imposed, would recommend the following amendment:

Wherever the word "imprisonment" occurs, add the words "in the county jail;" and, as amended, recommend its passage.

B. O'DRISCOLL, for the Committee.

By suspension of rules, the amendment to Council bill was read a second time.

The question being on rejection of House bill, it was rejected by

Ayes—Messrs. Browne of D., Bernard, Brantly, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, Laws, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Tebbs and Walker—19.

Nays—Messrs. Speaker, Anderson, Butcher, Carr, Garrett, Jenkins, Kirk, Martin, Vaughan and Young—10.

The Council bill as amended was read a third time.

Message from the Council by Mr. Hughes, Clerk:

Mr. Speaker—I am instructed by the Council to inform the House that Council bills of the following titles have been signed by the President:

An act to incorporate the Nicaragua Town Company.

An act to incorporate the Madison Town Company.

An act to incorporate the Midway Town Company.

An act to authorize the formation of Railroad Associations and to regulate the same.

Mr. Kirk moved that the bill "to organize the Probate Courts, and define their jurisdiction," be recommitted to the Committee on the Judiciary. Lost.

And the bill was then lost by

Ayes—Messrs. Speaker, Anderson, Browne, of D., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Garvin, Johnson, Jenkins, Kirk, Martin, O'Driscoll, McKinney, [Randall,] Simmons, Thompson, Tebbs, Vaughan, Walker and Young—24.

Nays—Messrs. Garrett, Kuykendall, Laws, Reese and [Randall]—5.

The Committee on Corporations, to whom was referred House bill "to incorporate the Versailles Town Company," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was then considered as engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Aurora Town Company, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was then considered as engrossed, read a third time and passed.

Mr. Tebbs moved to reconsider the vote of rejection of House bill "to organize the Probate Courts," &c., by suspension of rules. Carried.

The Committee on Corporations, to whom was referred House bill "to incorporate the Lecompton Town Company," recommend it passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was then considered as engrossed, read a third time, and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Wanzappa Town Company," recommend its passage with the following amendment:

"Provided, nothing herein shall conflict with the law of Congress regulating town sites."

B. F. SIMMONS, Chairman.

Agreed to.

The amendment was read a second time, and bill as amended considered as engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill "to incorporate the Polasa Town Company," recommend its passage with the following amendment:

"It is not the intention of this act to confer any privilege not conferred by the laws of Congress in relation to pre-emption of town sites."

B. F. SIMMONS, Chairman.

Agreed to.

The amendment was read a second time, rules suspended, and bill as amended considered as engrossed, read a third time and passed.

The Committee on Corporations, to whom was referred House bill "to establish a ferry at Parrish's landing, on Kaw river," recommend that it be referred to Committee on Roads and Highways.

B. F. SIMMONS, Chairman.

Agreed to, and bill was so referred.

The Committee on Corporations, to whom was referred House bill "to incorporate the Missouri City Town Company," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

Mr. Anderson moved that the bill "to organize the Probate Courts, and to define their jurisdiction," be now taken up. Agreed to.

Mr. Anderson then moved to amend, by striking out "1858," and inserting "1857."

The amendment was read a second time.

Mr. Simmons moved to amend—"that there be levied on each judgment of said Probate Judge one dollar, to be taxed as other costs, to go in part payment of his salary when collected; the clerk of his court to certify to the Auditor or Comptroller of the Territory the amount so levied and collected."

Mr. Stout moved to amend, by striking out "fifteen hundred dollars," and insert "one thousand dollars," in section 7. Rules suspended and amendment read a second time.

Mr. Anderson offered the following amendment:

Sec. 14. That if the tax of one dollar on each judgment so levied and collected should amount to more than fifteen hundred dollars per annum, the surplus shall be paid into the Territorial Treasury.

By suspension of rules, the amendment was read a second time.

Mr. Anderson moved to strike out the amendment offered by Mr. Stout. Carried by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Cox, Dolman, Garrett, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Simmons, Thompson, Tobias, Vaughan, and Young—20.

NAYS—Messrs. Bernard, Brady, Davis, Fox, Reid, O'Driscoll, Reese, Randall and Stout—9.

ABSENT—Messrs. Spratt and Walker.

The bill as amended was considered as engrossed, read a third time, and passed by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Carr, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Martin, McKinney, Simmons, Thompson, Tebbs, Vaughan and Young—18.

Nays—Messrs. Bundy, Davis, Dobson, Fox, Garvin, Lewis, O'Driscoll, Reese, Randall and Scott—10.

Absent—Messrs. Fain, Spratt and Walker.

The bill to define the boundaries of the several counties of the Territory of Kansas was taken up.

The question being upon the motion of Mr. Browne of D., to amend section 6, and insert sections 14, 15, 22 and 23, for 13, 14, 23 and 24.

Mr. Vaughan moved to lay the amendment on the table. Lost.

The amendment offered by Mr. Browne was read a second time.

Mr. Browne of D. offered the following amendments, which were read a first and second time:

Amend the 6th section—in 9th line, insert "second and third," instead of "first and second."

Amend section 7th, by striking out all after the words "the corner to," in tenth line, and inserting "south-west corner of Douglas county; thence east, along the south boundary of said Douglas county, to the place of beginning."

Mr. O'Driscoll moved to amend section 25, by inserting "thence east until it strikes Independence creek; thence down said creek, in the main channel thereof, to the main channel of the Missouri."

Mr. Carr moved to lay the amendments on the table. Carried.

The further reading of the bill was then dispensed with, to allow Mr. O'Driscoll to make a report.

The Committee on Public Buildings, to whom was referred House bill No. 136, report the same back with the following amendment:

In sec. 3, after the words "per annum interest," add the following: *And provided further*, That no more of said bonds shall be sold than may be necessary to enclose said Capitol building.

R. O'DRISCOLL, Chairman.

Agreed to.

The House then adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

The question under consideration being the bill to define the boundaries of the several counties of the Territory of Kansas.

Mr. Garrett offered the following as an amendment: amend sec. 35, after words "as follows," by inserting—

"Beginning at the north-west corner of Calhoun county; thence west, along the south boundaries of Nemaha and Marshall counties, on the first Standard Parallel south, to the corner of Range 5 and 6 east; thence south along said Range line, between Range 5 and 6, to the middle of the main channel of the Smoky Hill fork of Kansas river; thence down said Smoky Hill fork, in the middle of the main channel thereof, to the south-west corner of Calhoun county; thence north, along the west boundary of Calhoun county, to the place of beginning."

Amend sec. 36, by striking out all after the words "corner to," in the 10th line, and insert "township line 10 and 11, on Range line between Ranges 5 and 6; thence north, along the west boundary of Riley county, to the place of beginning."

Amend sec. 27, by striking out all after the word "thence," in 14th line, and insert "down the middle of the main channel thereof, to the south-west corner of Riley county; thence, with the west boundary of said Riley county, to the place of beginning."

Strike out all after sec. 34.

Mr. Garrett moved to suspend the rules, that the amendments be read a second time.

Mr. Jenkins moved to lay the whole matter on the table. Carried by

Ayes—Messrs. Speaker, Butcher, Carr, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Stout, Simmons and Tebbs—13.

Ayes—Messrs. Anderson, Brantly, Davis, Fox, Fain, Garvin, Garrett, Reese, Randall, Spratt, Thompson and Walker—12.

Absent—Messrs. Browne of D., Bernard, Dolman, O'Driscoll, Vaughan and Young—6.

Mr. Garrett moved to refer that portion of bill in regard to Riley county to a Special Committee. Carried by

Ayes—Messrs. Anderson, Brantly, Davis, Dolman, Fox, Fain, Garvin, Garrett, Kuykendall, Laws, Reese, Randall, Spratt, Thompson, Tebbs, Walker and Mr. Speaker—17.

Nays—Messrs. Butcher, Carr, Johnson, Jenkins, Kirk, Martin, McKinney and Stout—8.

Committee—Messrs. Garrett, Carr and Simmons.

Mr. Carr moved that the committee report to-morrow morning, 10 o'clock. Carried.

Mr. Martin moved that the House now adjourn. Carried.

WEDNESDAY, FEBRUARY 18, 1857.

House met pursuant to adjournment.

At the call of the roll, the following members were absent: Messrs. Ander-Fain, Garrett and Reese.

SICK—Mr. O'Driscoll.

The Journal of yesterday and the day before were read and approved.

Message from the Council by Mr. Grover, Assistant Clerk:

I am instructed by the Council to inform the House that the Council has agreed to House amendments to the following Council bills:

An act to incorporate the Eastern Kansas and Gulf Railroad Company.

An act to incorporate the Laurel Hill Cemetery Company.

An act to incorporate the Kansas River Navigation Company.

An act to incorporate the Centropolis College.

And have rejected the following House bills:

An act to repeal in part sec. 28, art. 6, chap. 129, of "An act regulating practice and proceedings in criminal cases."

An act to authorize the building of a bridge across Grasshopper creek, near its mouth.

An act amendatory of an act concerning dram-shops.

An act to establish a ferry ten miles from the mouth of Kansas river.

And have passed the following Council bills:

An act to incorporate the Eudora Town Association.

An act to charter the city of Lawrence.

An act to prohibit the circulation of paper currency of a less denomination than three dollars.

An act to incorporate the Ogden Mill Company.

An act to incorporate the Cherokee Town Company.

An act to incorporate the Wewaka Town Company.

An act to incorporate the city of Emporia, with a Territorial road established thereto.

An act to incorporate the Lexington Town Association.

An act to incorporate the Chouteau Town Company.

An act to establish a Territorial road from Shannon to Westport.

An act to establish a Territorial road from Shannon to Hampden.

An act supplemental to an act to incorporate the Lawrence Bridge Company.

An act to incorporate the Burlington Town Company.

An act to establish a Territorial road from the city of Lecompton, via the town of Clinton, to the Sac and Fox Agency.

An act to incorporate the Clinton Town Association, in Douglas county.

An act to incorporate the Geary City Association.

An act to provide for the pay of clerks.

An act to incorporate the Stranger Creek Bridge Company.

An act to establish a Territorial road from Paola to Centreville.

An act amendatory of an act attaching certain territory to the county of Madison.

And have also passed the following House bills:

A bill to incorporate the Polasa Town Company.

An act to incorporate the Missouri City Town Company.

An act to incorporate the Doniphan Coal Company.

An act to incorporate the Wanzappa Town Company.

An act to incorporate the city of Palermo.

An act in relation to trespass on school lands.

An act to establish a Territorial road from Ossawattamie to Paris, in Linn county.

An act to amend an act to provide for the collection of the public revenue.

An act defining the powers and duties of County Commissioners, and other county officers, in certain cases.

An act to incorporate the Hamilton Town Company.

An act to establish a Territorial road from Leavenworth to Peora.

An act to incorporate the Centropolis Town Company.

An act to incorporate the Wheatland Town Company, in Douglas county.

An act to amend an act in relation to injunctions.

An act to incorporate the Spartinsburg Town Company.

An act to incorporate the Atchison Mill Company.

An act to incorporate the Delaware and Lecompton Railroad Company.

An act to incorporate the Leavenworth Fire and Marine Insurance Company.

An act to incorporate the Versailles Town Company.

An act to incorporate the Marshall Town Company.

An act to incorporate the Louisville Town Company.

And have passed House bill "to establish a ferry across the Missouri river at Quindaro."

And have amended House concurrent resolution for a Joint Session: Strike out the words "to-morrow morning," and insert "Thursday morning."

The Committee on Engrossed and Enrolled Bills report the following as truly enrolled:

An act to incorporate the Atchison and Palmetto City Railroad Company.

An act to incorporate the Sebastian Town Association.

An act to incorporate the Kansas College Association.

An act to incorporate the Kansas Territorial University.

An act to establish a Territorial road from the city of Atchison to the town of Doniphan.

A majority of the Select Committee to whom was referred the matter of the division of Riley county, report that they have not had sufficient time to enter into an investigation of a subject so involved and complicated. The Committee on Bounds of Counties and Districts appear to have devoted much time and care to its examination, and your present committee recommend to the House the adoption of their report.

JOSEPH P. CARR,
BENJ. F. SIMMONS.

Agreed to.

The bill to define the boundaries of the several counties of Kansas Territory was taken up.

Mr. Tebbs moved to amend by striking out sections 34 and 35.

Mr. Anderson moved to lay the amendment on the table. Carried.

The bill was then passed.

A bill to define and establish the Council and Representative Districts for the Second Legislative Assembly, and for other purposes, was taken up.

Mr. Garrett, of Riley county, tendered his resignation as a member of the House. Referred to a Select Committee—Messrs. Anderson, Johnson and Fox.

Mr. Jenkins moved that the bill be referred to a Select Committee of——, with instructions that the official returns of last general elections be made the basis of their report.

Mr. Thompson moved to lay the motion on the table.

Mr. Jenkins, by permission of the House, withdrew his motion; so did Mr. Thompson.

Message from the Governor by his Private Secretary:

Gentlemen of the House of Representatives of Kansas Territory:

In reply to your resolution of the 9th inst., I have the honor to inform you that, on the 8th of January last, I issued commissions to Wm. Woolman as Probate Judge; Richard Bam and Samuel Locke as County Commissioners; Turner Locke as Constable, and J. B. Scott as Justice of the Peace; all of Coffey county.

At the time these commissions were issued, Coffey county was not organized, and the citizens were without legal means to transact the necessary business of the county; and it was represented to me, and the fact substantiated to my satisfaction, that proper authority must somewhere be vested to prevent threatened breaches of the peace, and a resort to mob violence or Lynch law, such being the necessity of the case.

The citizens, for their own protection and safety, have held an election *viva voce*, for the county officers above named; and the gentlemen commissioned, I am informed, were then elected by at least four-fifths of the *bona fide* residents or legal voters of the county.

Upon the application to me for commissions, I consulted with Hon. Sterling G. Cato, the United States District Judge of the Judicial District of which Coffey county formed a part, who advised the issuing of the commissions.

The Judge concurred with me in opinion, that, as there seemed to be no law intervening between me and the organic act, and in the absence of any legislation on the subject, and in view of the absolute necessities of the case, as expressed by so large a vote of the actual citizens, the required provision should at once be made to meet the contingencies which the peculiar condition of Coffey county presented.

JNO. W. GEARY,
Governor of Kansas Territory.

On motion of Mr. Anderson, five hundred copies of the House resolution, and the Governor's answer thereto, were ordered to be printed.

Mr. Carr, moved to refer the bill to a Select Committee of three, with instructions to report at as early a day as possible. Carried by

AYES—Messrs. Speaker, Browne of D., Bernard, Brantly, Carr, Dolman, Fain, Jenkins, Kirk, Martin, McKinney, Simmons, Thompson, Vaughan and Young—15.

NAYS—Messrs. Anderson, Butcher, Davis, Fox, Garvin, Kuykendall, Laws, Reese, Randall, Stout, Spratt, and Tebbs—12.

Committee—Messrs. Carr, Vaughan and Browne of D.

The Committee on Bounds of Counties and Districts, to whom was referred Council bill No. 108, "An act to organize the county of Davis," recommend its passage with the following amendment: Strike out section 1 and 2.

R. L. KIRK, Chairman.

Agreed to.

The amendment was read a second time, and on suspension of rules the bill as amended considered as engrossed, read a third time, and passed.

The Committee on Bounds of Counties and Districts, to whom was referred House bill to re-locate the seat of justice of Douglas county, and petition therefor, recommend its reference to the Douglas county delegation.

R. L. KIRK, Chairman.

Agreed to.

The Committee on Roads and Highways, to whom was referred House bill "to establish a ferry at Parrish's Landing, on Kansas river, recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred House bill No. 119, "An act to establish a Territorial road from Olanthe to the crossing of the Wakarusa at Blue Jacket, recommend its passage.

JAS. KUYKENDALL, Chairman.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Roads and Highways, to whom was referred the act incorporating the Nebraska, Kansas and Gulf Railroad Company, recommend its reference to the Committee on Internal Improvements.

JAS. KUYKENDALL, Chairman.

Agreed to.

The Committee on Education, to whom was referred House bill No. 165, "An act to incorporate the Heiskell College," recommend its passage.

J. P. CARR, Chairman.

Agreed to.

The bill was then read a third time, and passed by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Carr, Davis, Dolman, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, Reese, Randall, Spratt, Simmons, Thompson, Tebbs, Vaughan, Walker and Young—25.

NAYS—None.

ABSENT—Messrs. Bernard, Fox, McKinney, O'Driscoll and Stout.

The Committee on Education, to whom was referred Council bill No. 166, to incorporate the Centropolis College, recommend its passage.

JOS. P. CARR, Ch'n.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The Committee on Bounds of Counties and Districts, to whom was referred House bill No. 120, "An act for the location of the county seat of Davis county," recommend its passage.

R. L. KIRK, Chairman.

Agreed to.

The bill was considered as engrossed, read a third time and passed.

The House then adjourned to 2 o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Message from the Council, by Mr. Grover, Assistant Clerk:

I am instructed by the Council to inform the House, that the President of the Council has signed the following House bills:

An act to incorporate the Sebastian Town Association.

An act to incorporate the Kansas Territorial University.

An act to incorporate the Atchison and Palmetto City Railroad Company.

An act to establish a Territorial road from the city of Atchison to the town of Doniphan.

And also the following Council bills:

An act to incorporate the Palermo and Lecompton Railroad Company.

An act to incorporate the Moneique Town Company.

An act to incorporate the Kansas Female College Institute.

An act to establish a Territorial road from the city of Lawrence to the town of Burlington.

An act to incorporate the Buchanan University.

An act to incorporate the Toronto Town Company.

An act to incorporate the Palermo and St. Joseph Railroad Company.

An act to establish a Territorial road from the town of Palermo, westward, to the town of Claytonsville, in Browne county.

An act to establish a Territorial road from Wakarusa to Council Grove.

Also have passed the following joint resolutions:

"*Resolved by the Legislative Assembly of the Territory of Kansas*, That there be allowed to the assistant Clerks of the Council and House of Representatives the sum of one dollar per day in addition to the amount allowed them by the Organic Act; the same shall be audited and paid out of the contingent fund for the present fiscal year."

"*Whereas*, for the purpose of extending, encouraging and protecting immigration into the wild and unsettled but fertile regions of the interior of our Territory, and of establishing beyond the western bounds of our frontier settlement, a post for the accommodation and relief of travellers and traders passing to and returning from New Mexico and the north western portion of Texas, a number of our most adventurous and enterprising pioneers have associated themselves together under the name and style of the Buchanan Town Association, and by that name and style have been incorporated by the present Legislative Assembly of the Territory of Kansas in an act entitled "An act to incorporate the Buchanan Town Company," approved February 14th, 1857; therefore,

"*Be it Resolved by the Council*, (the House of Representatives concurring therein,) that the encouragement and protection of the General Government be and hereby is invoked in behalf of the association herein named, and that the Congress of the United States be and the same is hereby most respectfully memoralized and petitioned to pass a special act granting said association the right of pre-empting one thousand acres of public land where the town of Buchanan is now located—that is to say, lying, situate and being at the confluence of the Smoky Hill and Solomon forks of the Kansas river, above Fort Riley, and between the second and third standard parallels.

"*Resolved further*, That whereas the said association has chosen a location far in the interior, in a region untenanted, untilled, and as yet unvisited by advancing civilization—beyond the reach and immediate aid and relief from the frontier settlements, and frequented by hostile savages,—the enterprise is bold, difficult, and daring; but, if successful, will be of eminent utility to all classes of the public, and will have a tendency to speedily fill with the cheerful and happy homes of an industrious people that broad expanse of territory, which, though watered and fertilized by the Kansas and its numerous confluents, has for so long a time remained uncultivated and uninhabited by white men.

"*Resolved further*; That nothing herein contained is intended to recommend any enterprise which will conflict with the rights of any Indian tribe or other persons whatsoever."

Also have passed the following resolution:

"*Resolved*, That the Chief Clerk of the Council be instructed to inform the House of Representatives that House bill entitled "An act to incorporate the Kansas College Association," has been improperly enrolled, as said bill was rejected by the Council, and that the Chief Clerk return said enrolled bill to the House of Representatives."

Council bill to pay $129 80 to George Matney, was returned to the House by Council, with disagreement to House amendment. The bill was referred to Shawnee delegation.

The following Council bills were taken up, read a first time, and on suspension of rules read a second time by their title, and disposed of as follows:

An act to legalize the acts of the Trustees of the town of Lawrence. Read a third time and passed.

An act to establish a ferry. Read a third time and passed.

An act to incorporate the Tacoah Town Company. Read a third time and passed.

An act to abolish the office of Auditor of Public Accounts, and create the office of Comptroller of the Treasury. Referred to Committee on Judiciary and Criminal Jurisprudence.

An act to incorporate the Kansas Water-Power and Manufacturing Company. Referred to Committee on Corporations.

An act to prevent civil officers from speculating in warrants of the Territory of Kansas. Read a third time and passed.

An act to incorporate the Eudora Town Association. Read a third time and passed.

An act to charter the city of Lawrence.

Mr. Thompson moved to refer the bill to Committee on Corporations.

Mr. Simmons moved, as a substitute, that the rules be suspended and bill read a third time. Lost.

And the bill was referred.

A bill to prohibit the circulation of paper currency of a less denomination than three dollars.

Mr. Walker moved to amend, by inserting "five" for "three."

On motion of Mr. Martin, the amendment was laid on the table, and the bill was read a third time and passed.

An act to provide for the pay of Clerks. Read a third time and passed.

An act to incorporate the Cherokee Town Company. Referred to Committee on Corporations.

Mr. Thompson offered the following resolution:

Resolved, That the Clerk be instructed to communicate to the Governor that the House of Representatives will call upon him officially at 11 o'clock on Thursday next.

Lost by

AYES—Messrs. Speaker, Anderson, Butcher, Brantly, Fain, Garvin Johnson, Laws, Randall, Stout, Spratt and Thompson—12.

NAYS—Messrs. Browne of D., Bernard, Carr, Davis, Fox, Jenkins, Kirk, Kuykendall, Martin, Reese, Simmons, Tebbs, Vaughan and Young—14.

Mr. J. C. Stuck, having been appointed Asssistant Enrolling Clerk, was sworn in by the Speaker.

An act to incorporate the Wewatha Town Company, was read a third time and passed.

An act to incorporate the city of Emporia, with a Territorial road thereto. Referred to Committee on Corporations.

An act to incorporate the Lexington Town Company. Referred to Committee on Corporations.

An act to incorporate the Choteau Town Company. Referred to Committee on Corporations.

An act to establish a Territorial road from Paola to Centreville. Read a third time and passed.

An act to incorporate the Stranger Bridge Company. Read a third time and passed.

An act to incorporate the Geary City Association. Referred to Committee on Corporations.

An act to incorporate the Burlington Town Association. Read a third time and referred to Committee on Corporations.

An act to establish a Territorial road from Lecompton, via the town of Clinton, in Douglas county, to the Sac and Fox Agency, in Miller county. Referred to Committee on Roads and Highways.

An act supplemental to an act to incorporate the Lawrence Bridge Company. Referred to Select Committee—Messrs. Thompson, Tebbs and McKinney.

An act to locate and establish a Territorial road from Shannon to Hampden. Referred to Committee on Roads and Highways.

An act to incorporate the Clinton Town Association, in Douglas county. Referred to Committee on Corporations.

An act to amend an act attaching certain territory to the county of Madison. Referred to Committee on Bounds of Counties and Districts.

The Council concurrent resolution in regard to present of a copy of "Colonial Records of the State of Pennsylvania," was taken up and passed.

The bill to establish a ferry across the Missouri river at Quindora, as amended by Council, was taken up; the amendment was read a first, second and third time, and agreed to.

The bill to borrow money for Territorial purposes was taken up.

On motion of Mr. Thompson, a call of the House was ordered.

Mr. Thompson moved that further proceedings under the call be dispensed with. Carried.

And the bill was passed by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly Carr, Garvin, Johnson, Kuykendall, Kirk, Martin, Randall, Simmons, Thompson, Tebbs, Walker and Young—17.

NAYS—Messrs. Bernard, Davis, Dolman, Fox, Jenkins, McKinney, Reese, Spratt, and Vaughan—9.

The House then adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

The Council resolution referring to Buchanan Town Company was taken up, read, and concurred in.

Also the Council resolution in regard to pay of Clerks was taken up and concurred in.

The Council amendment to House resolution for Joint Session was concurred in.

The Committee on Bounds of Counties and Districts, to whom was referred House bill No. 134, entitled "An act to locate the seat of justice of Riley county," recommend its rejection.

R. L. KIRK, Chairman.

Agreed to.

The Committee on Bounds of Counties and Districts, to whom was referred House bill No. 122, "An act to provide for the location of the county seat of Riley county," recommend its passage.

R. L. KIRK, Chairman.

Agreed to.

The bill was then read a third time and passed.

Mr. Brantly offered the following resolution:

Resolved, That the Committee on Internal Improvements be required to report all railroad bills that are in their hands to the House to-morrow morning.

Adopted.

The House then adjourned.

THURSDAY, February 19, 1857.

House met pursuant to adjournment.

Prayer by the Chaplain.

At the call of the roll, the following members were absent: Messrs. Johnson and Reese.

The Journal of yesterday was read and approved.

Message from the Governor by his Private Secretary:

The Committee on Corporations, to whom was referred Council bill to charter the city of Lawrence, recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time and passed.

The message from the Governor was read:

Gentlemen of the House of Representatives—

I have the honor to return with my approval the following named bills:

An act to incorporate the Willow Spring Town Company.

An act to incorporate the Franklin Town Company.

An act to incorporate the Town of Agnes city, in Breckenridge county.

An act to amend an act entitled "An act to prevent the firing of woods, marshes and prairies."

An act to establish a Territorial road from the city of Lecompton to the town of Richmond, in Nemaha county, and other places.

An act to locate a Territorial road from the town of Palermo to Fort Riley.

An act to incorporate the Atchison and Fort Riley Railroad Company.

An act to incorporate the Atchison and Lecompton Railroad Company.

An act authorizing the City of Lecompton to borrow money.

An act to establish a Territorial road from the town of Lodiana to a point opposite St. Joseph, Missouri, via the city of Palermo.

An act prescribing oaths of officers and others in the Territory of Kansas.

An act to declare the military road from Fort Riley to Bent's Fort a Territorial road.

An act to establish a Territorial road from Doniphan to Claytonville, in Browne county.

An act to incorporate the Kansas Valley Bank.

An act to incorporate the Sebastian Town Association.

An act to incorporate the Kansas Territorial University.

An act to incorporate the Atchison and Palmetto City Railroad Company.

An act to establish a Territorial road from the city of Atchison to the town of Doniphan.

JOHN W. GEARY,
Governor of Kansas Territory.

Lecompton, February 19th, 1857.

Gentlemen of the House of Representatives of Kansas Territory:

I have carefully examined "An act supplemental to an act entitled 'An act to grant pre-emption to school lands in certain cases,'" and, having compared it with the act of Congress in relation to school lands, I am constrained to believe, that as the school lands embraced in sections 16 and 36 have been reserved by a clause in the Organic Act, so the disposal of them requires an enabling act of Congress.

JOHN W. GEARY,
Governor of Kansas Territory.

Lecompton, K. T., February 19th, 1857.

The Committee on Roads and Highways, to whom was referred Council bill "to establish a Territorial road from Shannon to Hampden," recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill "to establish a Territorial road from the city of Lecompton, via Clinton, in Douglas county, to Sac and Fox Agency, in Weller county," recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Roads and Highways, to whom was referred Council bill "to extend the time granted to James Findlay to build a bridge across the Wakarusa," report that it is the opinion of your committee that a similar bill has already passed the House, and recommend its rejection.

JAMES KUYKENDALL, Chairman.

Agreed to.

And the bill was rejected.

The Committee on Roads and Highways, to whom was referred House bill "to establish a Territorial road from Atchison, via Wigglesworth's ford, to Lecompton," recommend its passage.

JAMES KUYKENDALL, Chairman.

Agreed to.

Bill was read a third time and passed.

The Committee on Bounds of Counties and Districts, to whom was referred Council bill, "An act amendatory of an act to attach certain territory to the county of Madison," recommend its passage, with the following amendments:

In the enacting clause, after the word "Assembly," insert the words "of the Territory of Kansas."

Section 1st. After the words "county of Madison," add the words, "provided, the inhabitants of the county so attached shall not be taxed for local purposes in the said county of Madison."

Strike out sections 2, 3 and 4, and insert—

Sec. 2. The town of Columbia shall be the temporary seat of justice of Madison county.

Sec. 3. At the next general election for members of the Legislative Assembly, the qualified voters of said county shall elect three Commissioners, whose duty it shall be, after having first taken an oath faithfully to execute their office, to locate permanently the seat of justice of the said county as near the geographical centre thereof as may be practicable.

Sec. 4. All laws, and sections and clauses of laws, repugnant to the provisions of this act, be and the same are hereby repealed.

R. L. KIRK, Chairman.

Agreed to.

The amendments were read a second time by suspension of rules, and the bill as engrossed read a third time and passed.

The Committee on Bounds of Counties and Districts, to whom was referred House bill No. —, entitled "An act amendatory and supplementary to an act entitled 'An act to define the boundaries of the several counties in the Territory of Kansas,'" and also the petition of sundry citizens of Doniphan county, have had the same under consideration, and beg leave respectfully to report them back to the House, and recommend that they lie on the table.

R. L. KIRK, Chairman.

The Committee on Corporations, to whom was referred Council bill "to incorporate the Cherokee Town Company," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Corporations, to whom was referred Council bill No. 163, "An act to incorporate the Lecompton Town Association," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Corporations, to whom was referred Council bill "to incorporate the Geary City Town Company," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time and passed.

The Committee on Corporations, to whom was referred Council bill No. 153, "to incorporate the Kansas Water-Power and Manufacturing Company," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

Bill was read a third time and passed.

The Committee on Corporations, to whom was referred Council bill "to incorporate the Roseport Insurance Company," recommend its passage with the following amendment:

In 9th section, strike out all after the word "notwithstanding."

B. F. SIMMONS, Chairman.

Agreed to.

The amendment was read a second time, and bill as amended considered as engrossed, read a third time, and laid over.

The Committee on Corporations, to whom was referred Council bill "to incorporate the Burlington Town Company," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time, and passed.

The Committee on Corporations, to whom was referred Council bill "to incorporate the Clinton Town Company, in Douglas county," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time, and passed.

The Committee on Internal Improvements, to whom was referred that poriton of the Executive Message which recommends the serious consideration of the Legislature to the great project of a direct communication with the Gulf of Mexico by steam railway, have given to the matter that earnest advisement and mature deliberation which a vast enterprise so richly merits.

The march of internal improvement has been with the march of mind, and mind and matter in conjunction have united in the exercise of the most benificent influences upon civilization. In fact, internal improvements and civilization are coeval with society from the earliest age. Nations have stepped from their barbarism, and assumed their proud positions in an enlightened world, according as they have been influenced by a wise system of internal improvements. Such a system is the natural nursery of infant States. Being thus impressed with the necessity of a wise and extended system of internal improvements, your committee sincerely recommend to the favorable consideration of the House so much of the Governor's Message as refers to a Gulf Railroad.

Railroads are the iron ligaments which not only bind commerce, trade, and all their facilitating concomitants, but they exercise a most desirable and useful influence upon our civilization. Kansas is, as it were, the point at which to commence an inter-oceanic communication; and the views expressed in the message meet with the cordial approbation of your committee so far as a Gulf Railroad is concerned.

They have the honor of reporting to the House a bill with amendments, which they believe will accomplish the purposes of the Executive message in this connection.

Amend by adding to the list of corporators to the Gulf Railroad—"Jno. W. Geary, S. W. Jones, W. H. Russell, J. A. Halderman, J. H. A. Chapman, P. E. Able, John Calhoun, Richard Reese, F. J. Marshall, M. Coffey, Thos. Johnson, J. W. Foreman, H. J. Strickler, B. Brantly, W. H. Jenkins, W. H. Tebbs, D. J. Johnson, W. G. Mathias, J. W. Martin, J. W. Waterson, B. O'Driscoll, J. P. Carr, W. Young, C. Dolman, J. Kuykendall, Russell Garrett, J. C. Anderson, J. C. Thompson, C. G. McKinney, W. A. M. Vaughan, B. F. Simmons, W. Spratt, J. M. Bernard, J. M. Fox, Alfred Laws;" and recommend its passage.

W. H. JENKINS, Chairman.

Agreed to.

The Council appeared with its officers to go into Joint Session; the House rose to receive them, and the two bodies went into Joint Session—the President of the Council in the chair—the business being the election of officers.

On motion of Mr. Reese, the Joint Session proceeded to the election of District officers, beginning at the lowest member.

On motion of Mr. Thompson, the Joint Session proceed to vote *viva voce* at the call of the roll.

Mr. Carr nominated A. W. Jones for Attorney.

Mr. Kuykendall nominated L. McArthur.

Mr. Grover nominated Benj. J. Newsome.

They then proceeded to an election.

For Mr. Jones—Messrs. Speaker, Anderson, Butcher, Brantly, Carr, Fox Garvin, Jenkins, Martin, Simmons and Thompson—11.

For Mr. Newsome—Messrs. Davis, Laws, McKinney, Reese and Vaughan—5.

For Mr. McArthur—Messrs. Bernard, Dolman, Fain, Kuykendall, Kirk, Randall, Stout, Spratt, Tebbs, Waterson, Walker and Young—12.

There was no election.

The second ballot stood thus:

For Mr. Jones—Messrs. Speaker, Anderson, Butcher, Brantly, Carr, Fox, Garvin, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson and Young—13.

For Mr. McArthur—Messrs. Davis, Dolman, Fain, Kuykendall, Randall, Stout, Spratt, Tebbs, Waterson and Walker—10.

For Mr. J. Newsome—Messrs. Bernard, Laws, McKinney, Reese and Vaughan—5.

There was no election.

The third ballot stood thus:

For Mr. Jones—Messrs. Speaker, Anderson, Butcher, Brantly, Carr, Davis, Fox, Garvin, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson and Young—15.

For Mr. McArthur—Messrs. Dolman, Fain, Kuykendall, Stout, Spratt, Tebbs, Waterson and Walker—8.

For Mr. Newsome—Messrs. Bernard, Laws, McKinney, Reese, Randall and Vaughan—6.

There was no election.

The fourth ballot stood thus:

For Mr. Jones—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Carr, Fox, Garvin, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs and Young—16.

For Mr. McArthur—Messrs. Dolman, Fain, Kuykendall, Randall, Stout, Spratt, Waterson and Walker—8.

For Mr. Newsome—Messrs. Bernard, Davis, Laws, McKinney, Reese and Vaughan—6.

There was no election.

The fifth ballot stood thus:

For Mr. Jones—Messrs. Speaker, Anderson, Browne of D., Butcher, Carr, Fox, Garvin, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs and Young—15.

For Mr. Newsome—Messrs. Bernard, Davis, Dolman, Laws, McKinney, Reese, Randall, Stout and Spratt—9.

For Mr. McArthur—Messrs. Fain, Kuykendall, Waterson and Walker—4.

There was no election.

Mr. Kuykendall withdrew the name of Mr. McArthur.

The sixth ballot stood thus:

For Mr. Jones—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Carr, Fox, Johnson, Jenkins, Kirk, Martin, Simmons, Thompson, Tebbs, Walker and Young—16.

For Mr. Newsome—Messrs. Bernard, Davis, Dolman, Fain, Garvin, Kuykendall, Laws, McKinney, Reese, Randall, Stout, Spratt, Vaughan and Waterson—14.

On joint ballot, Mr. Newsome having received 23 votes, and Mr. Jones 18, Mr. Newsome was declared duly elected Attorney for the Second Judicial District.

Nominations being in order for Attorney for the Third Judicial District,

Mr. Brantly nominated Mr. Farleigh.

The vote being taken, stood

For Mr. Farleigh—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—29.

Mr. Farleigh having received the unanimous vote of both Houses, was declared unanimously elected.

Mr. Waterson moved to go into election of officers of Browne county. Carried.

Mr. Walker nominated the following ticket:

For Probate Judge—Geo. E. Clayton.

For Sheriff—J. B. Thompson.

For County Commissioners—Henry Smith and David Lockman.

The vote then stood:

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson and Young—25.

For H. Smith, as County Commissioner—Mr. Stout.

The nominees, having received a majority of votes cast, were declared duly elected.

For Breckenridge County—The following ticket was nominated by Mr. Strickler:

For Probate Judge—A. J. Baker.
For Sheriff—E. Godard.
For County Commissioners—C. Columbia and Aaron Dow.

For the ticket, the vote stood:

Messrs. Anderson, Browne, Butcher, Bernard, Carr, Davis, Dolman, Fox, Fain, Kuykendall, Kirk, Martin, McKinney, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Young and Mr. Speaker —24.

Mr. Reese offered the following resolution:

"That the committees be called over by the President, and the vacancies stated and filled." Adopted.

Mr. Kirk presented a petition in regard to the vacant Probate Judgeship of Atchison county, proposing Isaac C. Hascall.

The Joint Session then adjourned to 4 o'clock, P. M.

The House being called to order,

The Special Committee, to whom was referred Council bill "to authorize the payment of $129 80 to George Matney," recommend that the House adhere to its amendment for the reason that George Matney is entitled to receive the sum of $194 70, from the receipt of the Inspector General.

W. A. M. VAUGHAN, Chairman.

Agreed to.

And the House adhered to its amendment.

The Select Committee, to whom was referred House bill No. 157, entitled "An act to define and establish the Council and Representative Districts for the Second Legislative Assembly," report the same back to the House with the following amendments:

In section 1, strike out all after the words "Third Council District" down to the words "all that part of the Territory of Kansas," and insert "the counties of Browne, Nemaha, Marshall, Potawattamie and Riley shall be and constitute the Fourth Council District; the counties of Jefferson and Calhoun shall be and constitute the Fifth Council District; the county of Douglas shall be and constitute the Sixth Council District; the counties of Shawnee, Richardson, Davis, Wise and Breckenridge shall be and constitute the Seventh Council District; the counties of Bourbon, Godfrey, Wilson, Dorn and McGee shall be and constitute the Eighth Council District; the counties of Butler, Hunter, Greenwood, Madison, Weller, Coffey, Woodson and Allen shall be and constitute the Ninth Council District; and the counties of Anderson, Lykins, Linn and Franklin shall be and constitute the Tenth Council District."

In section 2, strike out all from the words "the Third Representative District" to the words "all that part of the Territory of Kansas," and insert the words "the county of Browne shall be and constitute the Fourth Representative District; the county of Nemaha shall be and constitute the Fifth Representative District; the county of Marshall shall be and constitute the Sixth Representative District; the county of Jefferson shall be and constitute the Seventh Representative District; the county of Calhoun shall be and constitute the Eighth Representative District; the counties of Potawattamie and Riley shall be and constitute the Ninth Representative District; the counties of Douglas and Johnson shall be and constitute the Tenth Representative District; the county of Shawnee shall be and constitute the Eleventh Representative District; the counties of Richardson, Davis, Wise and Breckenridge shall be and constitute the Twelfth Representative District; the counties of Weller, Madison, Butler, Hunter and Greenwood shall be and constitute the Thirteenth Representative District; the counties of Bourbon, Godfrey, Wilson, Dorn and McGee shall be and constitute the Fourteenth Representative District; the counties of Woodson, Coffey and Allen shall be and constitute the Fifteenth Representative District; the counties of Anderson and Franklin shall be and constitute the Sixteenth Representative District; the county of Linn shall be and constitute the Seventeenth Representative District; and the county of Lykins shall be and constitute the Eighteenth Representative District.

In sec. 3, after the words "Secretary of the Territory," insert the words "or in case of a failure upon their part, from any cause, to perform the duty hereby enjoined upon them, before the first day June next, then the President of the Council and the Speaker of the House of Representatives of the present session of the Legislative Assembly, or either of them."

J. P. CARR, Chairman.

The amendments were read a second time, and bill considered as engrossed, read a third time, and passed.

The House then adjourned until 2½ o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

The Special Committee, to whom was referred "An act to incorporate the Lawrence Bridge Company," recommend its passage.

JAS. P. FOX, Chairman.

Agreed to.

The bill was read a third time, and passed.

The bill to incorporate the Roseport Insurance Company was taken up.

Mr. Martin moved to postpone it indefinitely. Lost by

AYES—Messrs. Bernard, Carr, Johnson, Jenkins, Kirk, Laws, Martin, Randall, Tebbs and Mr. Speaker—10.

NAYS—Messrs. Anderson, Browne of D., Butcher, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, McKinney, Stout, Simmons, Vaughan, Waterson, Walker and Young—16.

The bill was then, on motion of Mr. Martin, referred to a Special Committee—Messrs. Martin, Waterson and Young.

The Committee on Internal Improvements, to whom was referred Council bill No. 147, "to incorporate the St. Joseph and Topeka Railroad Company," recommend its passage.

W. H. JENKINS, Ch'n.

Agreed to.

The bill was then read a third time, and passed.

Message from the Council by Mr. Easton, a member:

That the Council had reconsidered its vote upon census bill, with the veto of the Governor, and have passed the same notwithstanding his veto.

The message was passed, notwithstanding the Governor's veto, by

AYES—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Garrett, Johnson, Jenkins, Kuykendall, Kirk, Martin, McKinney, Stout, Spratt, Simmons, Tebbs, Vaughan, Waterson, Walker and Young—27.

NAYS—Messrs. Laws, Reese and Randall—3.

The Committee on Internal Improvements, to whom was referred sundry bills of railroad projects, report and recommend their rejection upon the ground that the objects contemplated are already provided for in the Grand Gulf Railway bill which has passed the House.

W. H. JENKINS, Chairman.

Agreed to.

And the bills were rejected.

The Committee on Internal Improvements, to whom was referred Council bill "to incorporate the Marysville or Palmetto and Palermo Railroad Company," recommend its rejection on the ground of informality; the act contains provisions embodied in the act chartering or incorporating the Marysville or Palmetto and Roseport Railroad Company, which said act has not, in the opinion of your committee, become a law.

W. H. JENKINS, Chairman.

Agreed to.

The Committee on Corporations, to whom was referred Council bill No. 164, "to incorporate the city of Emporia, with a Territorial road thereto," recommend its passage.

B. F. SIMMONS, Chairman.

Agreed to.

The bill was read a third time, and passed.

Mr. Anderson introduced a bill "to incorporate the Missouri River Bridge Company." Read a first and second time, and, on motion to refer to Committee on Roads and Highways, was lost.

The bill was then read a third time, and passed.

Message from the Council by Mr. Hughes, Chief Clerk:

I am instructed to inform the House that the Council has passed Council bills of the following titles:

An act to amend 2nd article of an act entitled "An act concerning costs."

An act to incorporate the St. Leander Town Company.

An act making appropriations for the expenses of the Territory of Kansas for the year 1857.

An act to incorporate the Petrea Town Company.

An act as a substitute to House bill making appropriations for the years 1855 and 1856.

An act more definitely to define the eastern boundaries of Leavenworth county.

On motion of Mr. Anderson, the Council amendments to House bills were taken up, read a first, second and third time, and agreed to as follows:

An act to re-organize the Probate Courts and to define their jurisdiction.

An act to incorporate the Olathe Town Company.

An act to establish a ferry across Kansas river.

Message from the Council by Mr. Hughes, Chief Clerk:

I am instructed by the Council to inform the House that President of the Council has signed the following Council bills and Council resolutions:

An act to incorporate the Ogden Mill Company.

An act to incorporate the Wewaka Town Company.

Council resolutions for the pay of Clerks.

Council resolutions of charters.

And also have passed the following House bills:

An act more particularly to define the boundaries of the several counties of the Territory of Kansas.

An act to incorporate the Mine Hill Railroad and Mining Company.

An act for the relief of William I. Preston.

An act to locate permanently the seat of justice of Davis county.

Council bill more particularly to define the eastern boundary of Leavenworth county, was taken up, read a first, second and third time, and passed.

Four o'clock having arrived, the Council, with their officers at the head, were announced; the House rose to receive them, and the two bodies again passed into Joint Session according to adjournment.

The President of the Council presiding, called the remainder of Counties in their turn, as follows:

For Johnson County.

For County Commissioner—Cyprian Chouteau.

For Chouteau—Messrs. Speaker, Anderson, Browne of D., Butcher, Brown of M. and B., Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Simmons, Tebbs, Vaughan, Waterson, Walker and Young—29.

Cyprian Chouteau, having received all the votes cast, was declared duly elected.

For Lykins County.

For Probate Judge—A. H. McFadden.
For County Commissioner—Mr. Williams.

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Butcher, Brown of M. and B., Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Simmons, Tebbs, Vaughan, Walker and Young—28.

Mr. A. H. McFadden, having received all the votes cast, was declared duly elected Probate Judge of Lykins county.

Mr. Williams, having received all the votes cast, was declared duly elected County Commissioner of Lykins county.

For Linn County.

For County Commissioner—P. F. Glover.

For Mr. Glover—Messrs. Speaker, Anderson, Browne of D., Butcher, Brown of M. and B., Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Simmons, Tebbs, Vaughan, Walker and Young—28.

Mr. P. F. Glover, having received a majority of all the votes cast, was declared duly elected County Commissioner for Linn county.

For Douglas County.

For County Commissioners—J. P. Sanders and A. G. Hoole.

For the Ticket—Messrs. Speaker, Anderson, Butcher, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Laws, Martin, McKinney, Randall, Simmons, Tebbs, Vaughan, Waterson, Walker and Young—23.

And they, having received a majority of all the votes cast, were declared duly elected County Commissioners of Douglas county.

For Franklin County.

For Probate Judge—Jos. C. Merritt.
For County Commissioners—J. B. Davis and David Pultz.
" *Sheriff*—Wm. Wright.

For the Ticket—Messrs. Speaker, Anderson, Butcher, Brown of M. and B., Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, Laws, Martin, McKinney, Randall, Simmons, Tebbs, Vaughan, Waterson, Walker and Young—22.

The ticket, having received a majority of all the votes cast, was declared duly elected.

For Anderson County.

For County Commissioner—J. McDaniel.

For McDaniel—Messrs. Speaker, Anderson, Browne of D., Butcher, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Stout, Simmons, Tebbs, Vaughan, Waterson, Walker and Young—20.

Mr. Daniel having received all the votes cast, was declared duly elected County Commissioner for Anderson county.

For Coffey County.

For Probate Judge—Wm. Woolman.

For County Commissioners—Richard Bun and Samuel Lake.

For Sheriff—M. C. Grimes.

Mr. Christian nominated Mr. Moss, for Probate Judge.

For Messrs. Woolman, Bun, Lake and Grimes—Messrs. Speaker, Anderson, Browne of D., Butcher, Brown of M. and B., Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Thompson, Tebbs, Walker, Vaughan, Waterson and Young—28.

And they, having received a majority of all the votes cast, were declared duly elected.

For Breckenridge County.

For Probate Judge—James Moore.

For County Commissioners—H. Elliott and Uriah Humphrey.

For Sheriff—Jefferson Pigman.

For the Ticket—Messrs. Anderson, Browne of D., Butcher, Brown of M. and B., Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—31.

And they having received all the votes cast, were declared duly elected.

For Davis County.

For Probate Judge—Robert Reynolds.

For County Commissioners—James B. White and N. L. Saneford.

For Sheriff—N. B. Williams.

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Butcher, Brown of M. and B., Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Tebbs, Thompson, Vaughan, Waterson and Young—26.

And they, having received all the votes cast, were declared duly elected.

For Atchison County.

For Probate Judge—J. S. Hascall.

For County Commissioners—J. R. King and M. F. King.

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Butcher, Brown of M. and B., Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Reese, Randall, Stout, Spratt, Tebbs, Vaughan, Waterson, Walker and Young—29.

And they, having received all the votes cast, were declared duly elected.

On motion, the Joint Session was then dissolved until 10 o'clock to-morrow.

The House was then called to order by the Speaker.

On motion, the House then adjourned until 7 o'clock to-night.

EVENING SESSION.

House met pursuant to adjournment.

Message from the Council by Mr. Grover, a member.

Mr. Speaker—I am instructed to inform the House that the Council has amended and passed the following House bills:

An act to incorporate the Missouri River Bridge Company.

A bill entitled "An act making appropriations for the years 1855 and 1856. Bill was read a first, second and third time.

Mr. Anderson offered, by way of rider, the following amendment: insert, "for the benefit of J. K. Shepherd, $990 40." Amendment withdrawn, and the bill passed.

Mr. Johnson asked leave to make a report on the Judiciary and Criminal Jurisprudence. Agreed to.

The Committee on the Judiciary and Criminal Jurisprudence, to whom was referred House bill No. 125, "An act entitled an act to appoint a codifier of the statutes of Kansas," report the same back and recommend its passage with the following amendment: After the closing expression of the bill, add

Section 2. That the said officer be required to prepare a Digest of the Civil and Criminal Jurisprudence of the Territory, in such form and method as to him may seem best for the use of the people, the courts, and the bar.

Respectfully,

D. J. JOHNSON, Chairman.

Report agreed to. Bill read a third time and passed.

The Committee on the Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 183, entitled "An act to abolish the office of Auditor of Public Accounts, and to create the office of the Comptroller of the Treasury," have had the same under consideration, and beg leave respectfully to report the same back to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

Report agreed to. The bill was read a third time and passed.

Mr. Anderson offered the following resolution:

Resolved, That the Secretary of the Territory be requested to pay the Acting Sergeant-at-Arms, and Door-keeper of the House, ten dollars each, for extra services, and funds expended by them in their attendance upon committees.

Report read a first, second and third time, and agreed to.

Mr. Speaker—The Committee on Enrolled Bills respectfully beg leave to report, that they have examined and find correctly enrolled "An act to re-organize the Probate Courts and define their jurisdiction."

By order of the Committee,
J. C. ANDERSON.

House bill, with Council amendments, was taken up, "An act to establish a ferry across the Missouri river at Doniphan." Amendment read a first and second time, rules suspended, and amendment read a third time and passed.

A message from the Council by Mr. Grover, Assistant Clerk:

I am instructed to inform the House that the Council has passed bills of the following titles:

An act to repeal the third section of "An act concerning the Statutes of the Legislative proceedings."

An act supplemental to an act more particularly to define the boundaries of the several counties.

Mr. Simmons moved to take up Council bill No. 204, "to organize the county of Dickinson. Bill read a first and second time, and rules suspended, bill read a third time, and passed.

Mr. Vaughan moved that Council bill be taken up, entitled "An act more particularly to define the boundaries of the several counties." Agreed to. Bill read a first time.

Mr. Vaughan moved that the rules be suspended and bill read a second time.

Mr. Anderson moved, as a substitute, that the bill be laid on the table. Agreed to.

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. Speaker—I am instructed to request the House to return House bill entitled "An act to re-organize the Probate Courts, and to define their jurisdiction."

The Committee on Engrossed and Enrolled Bills ask leave to report that they have examined the *following* bill, and find it *truly* enrolled:

A bill for the relief of Wm. I. Preston.

THOS. W. WATERSON, Chairman.

Mr. Martin offered the following resolution:

Resolved, That the Clerk be instructed to request the Council to return House bill entitled "An act to re-organize the Probate Courts and to define their jurisdiction," as the enrolled bill of the same had been signed by the Speaker before the original had been sent to the Council.

Agreed to.

The Committee on Corporations, to whom was referred Council bill No. 162, entitled, "An act to charter the city of Lawrence," have had the same under consideration, and recommend its passage.

Respectfully submitted,

B. F. SIMMONS, Chairman.

The Committee on Engrossed and Enrolled Bills have examined the following bills:

A bill to be entitled "An act to amend an act entitled 'an act for the collection of the revenue.'"

An act defining the powers and duties of County Commissioners and other county officers in certain cases.

An act to incorporate the Louisville Town Company.

An act to incorporate the Leavenworth Fire and Marine Insurance Company.

An act to incorporate the Doniphan Coal Company.

And find the same truly enrolled.

By order of the Committee,

BENJAMIN BRANTLY.

The Committee on Engrossed and Enrolled Bills have examined bills of the following titles, to-wit:

An act to incorporate the Delaware and Lecompton Railroad Company.

An act to incorporate the Spartinsburg Town Company.

An act to incorporate the Neoma Town Company.

An act to locate permanently the seat of justice of Leavenworth county.

An act to establish a Territorial road.

An act to incorporate the Valley Town Company.

An act to incorporate the Missouri City Town Company.

An act to incorporate the Marshall Town Company.

An act to establish a Territorial road from Ossawattamie to Paris, in Linn county.

An act to incorporate the Versailles Town Company.

An act in relation to trespass on school lands.

An act to incorporate the Centropolis Town Company.

An act to incorporate the Wanzappa Town Company.

And beg leave to report the same as truly enrolled.

J. C. THOMPSON, Chairman.

The Committee on Enrolled Bills beg leave to report the following bills as being truly enrolled:

House bill No. 126, "An act to incorporate the Atchison Mill Company.

House bill No. 154, "An act to incorporate the Polasa Town Company, in Linn county.

House bill No. 116, "An act to amend an act regulating injunctions."

House bill No. 180, "An act to incorporate the Olantha Town Company."

House bill No. 108, "An act to amend an act for securing liens to mechanics."

House bill No. 128, "An act to establish a Territorial road from Leavenworth City to Peora."

House bill No. 91, "An act to incorporate the Wheatland Town Company."

House bill No. 96, "An act to incorporate the Springfield Town Company."

House bill No. 152, "An act to establish a ferry at the city of Palermo, in Doniphan county."

House bill No. 121, "An act to incorporate the Hamilton Town Company."

All of which are respectfully submitted.

W. A. M. VAUGHAN, Act. Chairman.

The House then adjourned until to-morrow morning at 9 o'clock.

FRIDAY, February 20, 1857.

House met pursuant to adjournment, Mr. Waterson in the chair. Roll was called. Absent—Messrs. Speaker, Anderson, O. H. Browne, Garrett, Johnson, Jenkins, Kuykendall, Martin, Reese, Spratt, Simmons, Thompson, Tebbs and Vaughan.

Mr. Butcher moved a call of the House; agreed to; and the Sergeant-at-Arms was ordered to bring in the absent members.

On motion of Mr. Anderson, the further reading of the Journal was dispensed with.

A Message from the Council by J. M. Hughes, Chief Clerk:

Mr. Speaker—I am instructed to inform the House that the President has signed the following House bills:

An act defining the powers and duties of County Commissioners and other county officers.

An act incorporating the Doniphan Coal Mining Company.

An act to incorporate the Louisville Town Company, in Kansas Territory.

An act to amend an act entitled "An act to provide for the collection of the revenue."

An act to incorporate the Leavenworth Fire and Marine Insurance Company.

An act to incorporate the Valley Town Company.

An act to incorporate the Nemaha Town Association.

An act to establish a Territorial road from Marysville, via Richmond and Claytonville, to the town of Troy.

An act to amend an act for securing liens to mechanics.

An act in relation to trespass on school lands.

An act to incorporate the Polasa Town Company.

An act to amend an act relating to injunctions.

An act to incorporate the Wheatland Town Company.

An act to incorporate the Wanzappa Town Company.

An act to incorporate the Atchison Mill Company.

An act to incorporate the Missouri City Town Company.

An act to incorporate the Springfield Town Company.

An act to incorporate the town of Olantha.

An act to incorporate the Centropolis Town Company.

An act to incorporate the Sportinsburg Town Company.

An act to incorporate the Marshall Town Company.

An act to incorporate the Versailles Town Company.

A bill to be entitled, "An act to incorporate the Delaware and Lecompton Railroad Company."

An act to incorporate the Hamilton Town Company.

An act to incorporate the Kansas College Association.

An act to locate permanently the seat of justice of Leavenworth county.

An act to locate a Territorial road.

An act to establish a Territorial road from Leavenworth to Peora.

Mr. Martin offered the following resolution:

Resolved, That the Clerk of the House be instructed to send to the Council the original of "An act to re-organize the Probate Courts, and to define their jurisdiction," and to report that this House has concurred in Council amendment to said bill; that the bill had been enrolled and signed by the Speaker before reception of the Council's resolution requiring the return of the same.

Agreed to.

The Committee on Enrolled and Engrossed Bills have examined bills of the following titles:

An act to incorporate the Mine Hill Railroad and Mining Company.

An act for the location of the county seat of Davis county.

An act to establish a Territorial road from Olantha to the crossing of Wakarusa at Blue Jacket.

An act to incorporate the Missouri River Bridge Company.

An act to establish a Territorial road from the town of Atchison to the city of Lecompton, via Wigglesworth's ford on Stranger creek.

And beg leave to report the same as truly enrolled.

J. C. THOMPSON, Chairman.

Report agreed to.

Report of Committee on Public Printing.

In pursuance of a resolution of the House, of the 8th of February, A.D. 1857, requiring the Committee on Printing to keep a memorandum of the bills ordered to printed, the committee beg leave to report as follows:

On the 9th, the Report of the Committee on Public Buildings was ordered to be printed.

On the 11th, the Report of the Auditor, 500 additional copies.

On the 13th, the Convention Bill, 1000 copies.

On the 16th, Report of Committee on Federal Relations.

On the 18th, Resolution and Message of the Governor in relation to the appointment of officers for Coffey county, 500 copies.

All of which is respectfully submitted,

BENJAMIN BRANTLY, Chairman.

The Select Committee, to whom was referred Council bill No. 157, entitled "a bill to incorporate the Roseport Fire and Life Insurance Company," have had the same under consideration, and beg leave respectfully to report the same back to the House with the following amendments:

At the end of section first, add the words "residing in said city of Roseport."

In section 10, commencing on the 10th line, strike out the words "any provision in this section to the contrary notwithstanding; and this company shall be released from the fourth, seventh and thirteenth sections of the first article of 'An act concerning corporations.'"

And add—"Section 12. Nothing in this act contained shall be so construed as to confer upon the said corporation power and authority to transact any kind of business except that of insurance upon fire and life risks."

And, as amended, recommend its passage.

J. W. MARTIN, Chairman.

Report agreed to.

The bill was read a third time, and passed.

Mr. Spratt offered the following resolution:

Resolved, by the House of Representatives, That the Committee on Printing be required to furnish this House with five hundred printed copies of the Convention bill, to be equally divided among the members of this House.

Resolution agreed to.

Message from the Council by Mr. Marshall, a member:

Mr. Speaker—I am instructed to inform the House, that the Council has passed a substitute to House bill "An act to authorize the Territory of Kansas to borrow money for the purpose of completing public buildings."

Mr. Thompson moved that the substitute be now taken up.

Agreed to.

The substitute was read a first and second time. Rules suspended, and bill read a third time, and passed.

Ayes—Messrs. Anderson, O. H. Browne, Butcher, S. G. Brown, Bernard, Brantly, Carr, Davis, Dolman, Fain, Garvin, Johnson, Kuykendall, Martin, McKinney, Stout, Simmons, Tebbs, Vaughan, Waterson and Mr. Speaker—21.

NAYS—Messrs. Jenkins and Laws—2.

Mr. Simmons, moved to reconsider the bill entitled "An act supplemental to an act to incorporate the Leavenworth, Pawnee and Weston Railroad Company." Agreed to.

The bill was taken up, read a third time, and passed.

Message from the Council by Mr. Charles Grover, Assistant Clerk:

Mr. Speaker—I am instructed to inform the House that the President has signed the following Council bills:

An act to organize the county of Davidson, Kansas Territory.

An act to provide for the pay of Clerks.

An act to prohibit the circulation of paper currency of a less denomination than three dollars.

An act to incorporate the Tecoah Town Company.

An act to lay out and establish a Territorial road from Polasa to Centreville.

An act to incorporate the Chaumier Town Company.

An act to incorporate the Rising Sun Association.

An act to incorporate the Shenandoah Town Company.

An act to establish ferry.

A bill entitled " An act to incorporate the Kansas River Navigation Company.

An act to incorporate the Stranger [Creek] Bridge Company.

An act to incorporate the Eudora Town Association.

An act to incorporate the Centropolis College.

An act to incorporate the Heiskell College.

And have passed Council concurrent resolution petitioning Congress for the right of pre-emption in certain cases.

An act to incorporate the Kansas Water-Power and Manufacturing Company.

An act to incorporate the Lexington Town Association.

An act to incorporate the Clinton Town Company, in Douglas county.

An act to establish a Territorial road from the city of Lecompton, in Douglas county, by way of the town of Clinton, in said county, to the Fox and Sac Agency, in Weller county.

An act to incorporate the Petrea Town Company.

An act to amend the 11th article of an act entitled "An act concerning costs."

An act to prevent civil officers from speculating in Territorial or county warrants.

An act more definitely to define the eastern boundary of Leavenworth county.

An act to organize the county of Dickinson.

An act to locate a Territorial road from the town of Shannon, the county seat of Anderson, to the town of Hampden, in Coffey county.

An act to incorporate the Eastern Kansas and Gulf Railroad Company.

An act to incorporate the Laurel Hill Cemetery Association.

An act to incorporate the St. Joseph and Topeka Railroad Company.

An act amendatory to an act attaching certain territory to the county of Madison.

An act to incorporate the Geary City Association.

An act to incorporate the town of Burlington.

An act to incorporate the St. Leander Town Company.

An act to incorporate the Cherokee Town Company.

An act making appropriation for the expenses of the Territory of Kansas for the year 1857.

And, that the Council had arrived to go into Joint Session for the purpose of filling the vacancies of county and Territorial officers.

The Joint Session was then called to order by the President of the Council, and then proceeded to the election of Commissioners.

For Leavenworth County.

Mr. Grover nominated for Commissioner—Jas. B. Redman.
Mr. Martin " " " Joel Hiet.
Mr. Johnson " " " William Franklin.

For Mr. Franklin—Messrs. Speaker, Anderson, Browne of D., Brown of M. and B., Butcher, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Kirk, Laws, McKinney, Randall, Simmons, Thompson, Vaughan, Waterson and Walker—23.

For Mr. Hiet—Messrs. Martin and Young—2.

Mr. Franklin having received a majority of all the votes cast, was declared duly elected Commissioner of Leavenworth county.

For Jefferson County.

For County Commissioner—Mr. Tebbs nominated Mr. —— Owens.

For Mr. Owens—Messrs. Speaker, Anderson, Browne of D., Brown of M. & B., Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Stout, Randall, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson and Walker. —28.

Mr. Owens having received a majority of all the votes cast, was declared duly elected Commissioner for Jefferson county.

For Nemaha County.

Mr. Waterson nominated C. Dolman for Probate Judge, and —— Magill and —— Harris for County Commissioners.

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Brown of M. & B., Butcher, Bernard, Brantly, Carr, Davis, Fox, Fain, Garvin, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, Randall, Simmons, Thompson, Tebbs, Vaughan, Waterson and Young—25.

Mr. Dolman, having received a majority of all the votes cast, was declared duly elected Probate Judge of Nemaha county.

Messrs. —— Magill and —— Harris, having received a majority of all the votes cast, were declared duly elected Commissioners of Nemaha county.

For Calhoun County.

Mr. Kuykendall nominated for Commissioner, Israel L. Hite.

For Mr. Hite—Messrs. Speaker, Anderson, Browne of D., Brown of M. & B., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—31.

Mr. Hite, having received a majority of all the votes cast, was declared duly elected Commissioner of Calhoun county.

For Marshall County.

Mr. Jenkins nominated C. B. Bruce for Probate Judge, and L. M. Duncan for County Commissioner.

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Brown of M. & B., Butcher, Bernard, Brantly, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Martin, McKinney, Reese, Randall, Stout, Simmons, Thompson, Tebbs, Vaughan, Waterson, Walker and Young —29.

Mr. Bruce, having received a majority of all the votes cast, was declared duly elected Probate Judge of Marshall county.

Mr. Duncan, having received a majority of all the votes cast, was declared duly elected Commissioner of Marshall county.

For Riley County.

Mr. Marshall nominated John Randolph for Probate Judge, and S. B. White and S. N. Lilly for Commissioners.

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Brown of M. & B., Butcher, Brantly, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws Martin, McKinney, O'Driscoll, Reese, Stout, Spratt, Simmons, Tebbs, Thompson, Vaughan, Waterson, Walker and Young—31.

Mr. Randolph, having received a majority of all the votes cast, was declared duly elected Probate Judge of Riley county.

Messrs. White and Lilly, having received a majority of all the votes cast, were declared duly elected Commissioners of Riley county.

For Potawattamie County.

Mr. Jenkins nominated Robert Wilson for Probate Judge, and Charles Jenkins and G. W. Gillespie for Commissioners, and Lewis Wilson for Sheriff.

For the Ticket—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Bernard, Brown of M. & B., Carr, Davis, Dolman, Fox, Fain, Garvin, Johnson, Jenkins, Kuykendall, Kirk, Laws, Martin, McKinney, O'Driscoll, Reese, Randall, Stout, Spratt, Simmons, Thompson, Tebbs, Vaughan, Waterson, Walker and Young—32.

Mr. Robert Wilson, having received a majority of all the votes cast, was declared duly elected Probate Judge of Potawattamie county.

Charles Jenkins and G. W. Gillespie, having received a majority of all the votes cast, were declared duly elected Commissioners of Potawattamie county.

Lewis Wilson, having received a majority of all the votes cast, was declared duly elected Sheriff of Potawattamie county.

Nominations being in order for Bank Commissioners, Mr. Anderson nominated L. A. Maclane, of Douglas, T. W. Tebbs, of Jefferson, J. W. Martin, of Leavenworth, P. T. Abel, of Atchison, and Alfred Hornbeck, of Bourbon.

Mr. Grover moved that the Joint Session proceed to elect the Directors one at a time. Agreed to.

Mr. Christian nominated D. Little, of Lykins.

Mr. Laws nominated O. C. Stewart, of Douglas.

Mr. Garvin nominated Mr. Christian, of Douglas.

Mr. Brantly nominated T. W. Waterson, of Doniphan.

Mr. Johnson moved to reconsider the manner of voting to elect one at a time. Carried.

On motion, the Joint Session proceeded to vote for five persons for Bank Commissioners.

For L. A. Maclane—Messrs. Speaker, Anderson, Browne of D., Butcher, Brown of M. & B., Carr, Davis, Fox, Johnson, Jenkins, Kirk, Martin, McKinney, Randall, Simmons, Thompson, Tebbs, Vaughan, Waterson and Young—20.

For T. W. Tebbs—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Carr, Dolman, Fain, Garvin, Johnson, Jenkins, Kirk, Kuykendall, Laws, Martin, Randall, Stout, Simmons, Thompson, Walker, Waterson and Young—22.

For J. W. Martin—Messrs. Speaker, Anderson, Browne of D., Butcher, Brantly, Carr, Dolman, Fain, Johnson, Jenkins, Kuykendall, Kirk, Laws, McKinney, Randall, Stout, Simmons, Thompson, Tebbs, Vaughan and Young—21.

For P. T. Abel—Messrs. Speaker, Anderson, Browne of D., Butcher, Carr, Johnson, Jenkins, Kirk, Martin, Simmons, Tebbs and Young—12.

For Alfred Hornbeck—Messrs. Speaker, Anderson, Butcher, Brantly, Carr, Fain, Jenkins, Kirk, Martin, Simmons, Tebbs, Walker, Waterson and Young—14.

For T. W. Waterson—Messrs. Brown of M. & B., Brantly, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, Laws, McKinney, Randall, Stout, Thompson, Tebbs, Vaughan and Walker—16.

For Mr. Little—Messrs. Brown of M. & B., Davis, Dolman, Fox, Garvin, Kuykendall, Laws, Martin, McKinney, Stout, Vaughan and Waterson—12.

For A. C. Stewart—Messrs. Browne of D., Brown of M. & B., Brantly, Davis, Dolman, Fox, Fain, Garvin, Johnson, Kuykendall, Laws, Randall, Stout, Thompson, Vaughan, Waterson and Walker—17.

For Mr. Christian—Messrs. Brown of M. & B., Davis, Fox, Garvin, McKinney—5.

L. A. Maclane, T. W. Tebbs, J. W. Martin, T. W. Waterson, and Owen C. Stewart, having received a majority of all the votes cast, were declared duly elected Commissioners of the Kansas Valley Bank.

Mr. Jenkins moved that the Joint Session be now dissolved. Agreed to.

The House was called to order by the Speaker.

The Special Committee to whom was referred Council bill No. 137, entitled "An act to incorporate the Wyandott City Company," and House bill "to incorporate the City Company of Wyandott," have had the same under consideration, and beg leave to report, that inasmuch as there are conflicting interests among the parties asking for said corporations, and inasmuch as both parties claim the right to said incorporation, and both parties claim to own and hold the land asked to be incorporated, and inasmuch as the said parties are not willing to join their interests in the said incorporation, but each demand exclusive privileges, your committee are compelled to report both bills back to the House, and recommend their rejection.

J. W. MARTIN, for the Committee.

Agreed to.

The Council bill No. 137, entitled "An act to incorporate the Wyandott City Company," was taken up, read a third time, and rejected.

The House bill entitled "An act to incorporate the City Company of Wyandott," was then taken up, read a third time, and rejected.

Mr. Simmons, by unanimous consent of the House, was allowed to introduce a bill, entitled "An act supplemental to an act to provide for the taking of the census and the election of delegates."

The bill was read a first time, and on suspension of rules the bill was read a second and third time, and passed.

The House then adjourned to 2½ o'clock, P. M.

AFTERNOON SESSION.

House met pursuant to adjournment.

Message from the Council, by Mr. Christian, a member:

Mr. Speaker—I am instructed by the Council to inform the House that the President of the Council has signed the following House bills:

An act to incorporate the Mine Hill Railroad Company.

An act to incorporate the Missouri River Bridge Company.

An act to locate the seat of justice of Davis county.

An act to establish a Territorial road from Atchison.

An act to establish a Territorial road from Olantha.

And that the Council has passed the following Council bills:

An act concerning conveyances.

An act to incorporate the Westphalia Town Company.

On motion, the following Council bills were taken up.

An act concerning conveyances. Read a first time, and rules suspended and bill read a second and third time, and passed.

An act to incorporate the Westphalia Town Company. Read a first time, and on suspension of rules bill was read a second and third time, and passed.

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. Speaker—I am instructed to inform the House that the President of the Council has signed the following Council bills:

An act to abolish the office of Auditor of Public Accounts, and create the office of Comptroller of the Treasury.

An act making appropriations for the years 1855 and 1856.

Mr. Martin moved to reconsider the bill entitled "An act supplemental to an act to incorporate the Leavenworth, Pawnee and Weston Railroad Company. Agreed to.

Bill read a third time and passed.

The Committee on Engrossed and Enrolled Bills have carefully examined "An act to borrow money for Territorial purposes," and find the same truly enrolled.

By order of the Committee,
BENJAMIN BRANTLY.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 208, entitled "An act to repeal the third section of an act concerning the statutes and legislative proceedings," have had the same under consideration, and beg leave respectfully to report the same back to the House, and recommend its rejection.

D. J. JOHNSON, Chairman.

The bill was then taken up, read a third time, and rejected by

AYES—Messrs. Speaker, Anderson, Browne of D., Bernard, Brantly, Carr, Davis, Garvin, Johnson, Kirk, Martin, O'Driscoll, Tebbs and Young—14.

NAYS—Messrs. Dolman, Fox, Fain, Kuykendall, McKinney, Randall, Stout, Vaughan and Waterson—9.

Message from the Council by Mr. Reese, a member:

Mr. Speaker—I am instructed to inform the House of the passage of the following Council resolution:

Resolved by the Legislative Assembly of the Territory of Kansas, That five hundred copies of an act entitled "An act to incorporate the Kansas Valley Bank" be printed for the use of the members of the Legislative Assembly, and that the Secretary of the Territory forward to each member of the present session of the Legislative Assembly equal numbers thereof.

On motion of Mr. Carr, the resolution was taken up and read a first and second time.

Mr. Johnson moved that the rules be suspended and bill be read a third time.

Mr. Anderson moved, as a substitute, that the bill lay over. Agreed to by

AYES—Messrs. Anderson, Brown of M. & B., Brantly, Davis, Dolman, Fox, Fain, Garvin, McKinney, O'Driscoll, Stout, Waterson and Walker—13.

NAYS—Messrs. Speaker, Browne of D., Butcher, Bernard, Carr, Johnson, Kirk, Martin, Randall, Simmons, Tebbs, Vaughan and Young—12.

The Committee on Judiciary and Criminal Jurisprudence, to whom was referred House bill No. 142, "An act to amend the city charter of Leavenworth," have had the same under consideration, and report the same back to the House, and recommend its passage.

D. J. JOHNSON, Chairman.

The bill was then read a third time, and passed.

Joint resolution concerning the laws:

Resolved by the Legislative Assembly of the Territory of Kansas, That the Public Printer is hereby authorized and required to print one thousand copies of the Laws of the present session, and cause or have all the Laws of of a general or public nature bound separately, and in one volume, in paper backs, similar to the Journals of each House of the first session of the Legislative Assembly of this Territory, and the private acts bound in paper covers.

Sec. 2. That the Secretary of the Territory shall contract for the delivery of the Laws and Journals of each House according to an act in the statutes entitled "An act concerning the statutes and Legislative proceedings," and two hundred and fifty dollars are hereby appropriated for this purpose, and warrants shall be drawn for the same by the Comptroller upon the certificates of said Secretary of the Territory.

Resolution read a first time; rules suspended, and resolution read a second and third time, and passed.

On leave, Mr. Carr offered the following resolution:

Resolved, That the Clerk of the House be directed to furnish the Governor a certified list of the officers elected at the Joint Session of the Legislative Assembly held yesterday and to-day.

Read a first time; rules suspended, and resolution read a second and third time, and passed.

The Committee on Engrossed and Enrolled Bills ask leave to report that they have examined the following bills and find them truly enrolled:

A bill to establish a ferry at Parrish's Landing, on Kansas river.

A bill to be entitled "An act to amend an act entitled 'an act to provide for the establishment of common schools.'"

An act to incorporate the Westphalia Town Company.

An act to incorporate the Calhoun Town Company.

An act more particularly to define the boundary of the several counties of Kansas Territory.

T. W. WATERSON, for the Committee.

Report received.

Minority Report of Select Committee.

The minority of the Select Committee, to whom was referred House bill No.—, "An act entitled an act to relocate the seat of justice of Douglas county," beg leave to report the same back to the House, and recommend its passage. Respectfully submitted.

H. BUTCHER,
JAMES GARVIN,
Minority of Committee.

Majority Report of Select Committee.

The majority of the Select Committee, to whom was referred House bill "to relocate the seat of justice of Douglas county," have had the same under consideration, and beg leave to report that, in their opinion, the only fair and proper method of disposing of a question involving so extensively the interests and conveniences of a people of an entire county as does the removal of the seat of justice from one point to another, should in all cases be left to the people; and as the bill submitted to your committee does not contemplate such a method of deciding the question as in their opinion would be fair and proper, your committee therefore report the same back to the House, and recommend that it be amended so as to conform to the principles contained in this report. Respectfully submitted.

J. C. ANDERSON,
J. C. THOMPSON,
O. H. BROWNE,
Majority of Committee.

Mr. Thompson moved that the majority report be agreed to, which was done by

AYES—Messrs. Speaker, Anderson, Browne of D., Brantly, Carr, Dolman, Johnson, Jenkins, Kuykendall, Kirk, Martin, O'Driscoll, Randall, Simmons, Thompson, Tebbs, Vaughan and Young—18.

NAYS—Messrs. Butcher, S. G. Brown, Bernard, Fox, Fain and Garvin—6.

On motion, the bill and reports were referred to a Select Committee—Messrs. Bernard, Dolman and Randall.

The Committee on Enrolled and Engrossed Bills beg leave to report the following bills as truly enrolled:

An act to provide for the location of the county seat of Riley county.

An act to define and establish the Council and Representative Districts for the Second Legislative Assembly, and for other purposes.

All of which are respectfully submitted.

WM. A. M. VAUGHAN,
Acting Chairman.

Mr. Browne, of Douglas, offered the following resolution:

Resolved, That the Hon. Wm. G. Mathias is entitled to the thanks of this House for the urbanity, dignity, ability and impartiality with which he has discharged the duties of the office of Speaker of this House.

Resolution read a first and second time, and passed unanimously.

On leave, Mr. Anderson offered the following resolution:

Resolved by the House of Representatives, (the Council concurring therein,) That the Secretary of the Territory be authorized to furnish to the Comptroller and Treasurer of the Territory so much of the furniture of the Legislatives Hall as may be needed for their respective offices; and the carpet of the Council chamber is hereby tendered.

Read a first and second time, and passed.

The Committee on the Judiciary and Criminal Jurisprudence, to whom was referred Council bill No. 121, "An act to prevent riots and other violations of law," have had the same under consideration, and beg leave respectfully to report the same back to the House and recommend its rejection.

D. J. JOHNSON, Chairman.

Agreed to.

On motion, the bill was taken up, read a first time, and on suspension of rules the bill was read a second and third time, and rejected.

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. SPEAKER—I am instructed to inform the House that the Council has passed the following House bills:

An act to incorporate the Central Railroad Company.

And has passed the following resolution:

Resolved by the Council and House of Representatives of the Territory of Kansas, That the manuscript Book of Forms submitted to the Legislature by the Hon. R. R. Reese, be and the same is hereby recommended as eminently worthy of the confidence and patronage of all civil officers in and for the Territory of Kansas, for whose use they are designed.

Read a first and second time, and concurred in.

And the President of the Council has signed the following House bills:

An act to establish a ferry on the Kansas river.

An act to amend an act to provide for the establishment of common schools.

An act more particularly to define the boundaries of the several counties in Kansas Territory.

An act to incorporate the Westphalia Town Company.

An act to incorporate the Coohoma Town Company.

An act to borrow money for Territorial purposes.

A message from the Council by Mr. Marshall, a member:

I am instructed to inform the House that the Council has amended and passed the following House bill:

An act authorizing the building of a bridge across Grasshopper creek, near its mouth.

The bill was taken up, and the amendment read a first and second time; rule suspended, and bill as amended considered as engrossed and read a third time, and passed.

A message from the Council by Mr. Grover, a member:

Mr. Speaker—I am instructed to inform the House that the Council has passed a bill "to amend the city charter of Lawrence."

And have disagreed to House amendment to Council bill, "An act to authorize the payment of one hundred and twenty-nine dollars to George Matney."

The annexed Council bills were then taken up, read a first and second time, and disposed of as follows:

An act to amend the city charter of Lawrence. On suspension of rules, read a third time and passed.

An act to authorize the payment of one hundred and twenty-nine dollars to George Matney. On suspension of rules, read a third time and passed.

Mr. O'Driscoll offered the following resolution:

Whereas, The relations existing between the Executive and the Legislative branches of our Territorial government are of the most friendly kind; therefore,

Be it Resolved by the House of Representatives, (the Council concurring therein,) That the two Houses, at the adjournment to-night, do visit his Excellency at his office, and exhibit to him such friendly feelings as becomes one branch of our government to show to another, with the assurance of our regard and esteem for his individual welfare.

Resolved further, That a copy of these resolutions be presented to his Excellency, and another copy be furnished for publication.

Read a first and second time, and passed.

By unanimous consent, Mr. O'Driscoll introduced a bill, "An act to incorporate the Roseport Insurance Company." Read a first and second time, and referred to Special Committee—Messrs. Martin, Waterson and Young.

On motion, the House then adjourned until 7 o'clock, P. M.

EVENING SESSION.

House met pursuant to adjournment.

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. SPEAKER—I am instructed to inform the House that the Council has passed the following bill:

An act to incorporate the Palermo Insurance Company.

Mr. Anderson offered the following resolution:

Resolved, That a committee of two be appointed to inquire into and fix the compensation of Mr. Stuck, for services rendered as enrolling clerk of the House.

Committee—Messrs. Anderson and Walker.

Resolution read a first and second time, and, on suspension of rules, read a third time, and passed.

The Special Committee, to whom was referred the account of J. C. Stuck, beg leave to report the following resolution:

Resolved, That the Secretary of the Territory is hereby authorized and requested to pay J. C. Stuck, out of any funds which can be appropriated for that purpose, the sum of twenty-three dollars, the same being for services performed by Mr. Stuck in enrolling bills for the House.

J. C. ANDERSON.

Resolution read a first, second and third time, and agreed to.

The Select Committee to whom was referred House bill entitled "An act to relocate the seat of justice of Douglas county," have had the same under serious consideration, and beg leave to report the same back to the House, and recommend its passage with the following amendment:

Strike out all after the enacting clause, and insert—"At the next general election in October, the people of Douglas county shall proceed to cast their votes for the several places of their choice, and the place receiving the highest number of legal votes shall be declared the permanent seat of justice for said county. Respectfully submitted.

J. M. BERNARD, Chairman.

The bill was read a first time, and on suspension of rules the bill was read a second time, considered as engrossed, and read a third time.

Mr. Anderson asked leave to make a report on enrolled bills. Agreed to.

Your committee have examined and found truly enrolled the following bills:

An act to incorporate the Grand Central Railroad Company.

An act to amend the city charter of Leavenworth.

An act to incorporate the Palermo Insurance Company.

An act to authorize the building of a bridge across Grasshopper creek, near its mouth.

J. C. ANDERSON, for the Committee.

Mr. Thompson moved that a call of the House be made. Lost.

The vote being taken on the removal of the seat of justice of Douglas county, carried by

Ayes—Messrs. Speaker, Anderson, Butcher, S. G. Brown, Brantly, Bernard, Davis, Dolman, Fox, Fain, Garvin, Kirk, Laws, McKinney, Randall, Stout, Simmons, Thompson and Vaughan—19.

Nays—Messrs. Carr, Jenkins, Kuykendall, Martin, Tebbs, Waterson and Young—7.

Absent—Messrs. Browne of D., Garrett, O'Driscoll, Reese, Spratt, Walker and White.

Mr. Thompson moved that the vote be reconsidered.

Mr. Martin, on leave, made the following report:

The Select Committee, to whom was referred a bill "to incorporate the Roseport Fire and Life Insurance Company," have had the same under consideration, and beg leave respectfully to report the same back to the House with the following amendments: In section 11, strike out the words, "and all the rights, powers and authority herein enumerated and conferred shall be exercised and enjoyed, any law to the contrary notwithstanding;" and insert the words, "nothing in this act contained shall be so construed as to give the said incorporation the right or power to transact any kind of business except that of insurance upon life and fire risks."

Your committee, in justice to the House and to themselves, state that, owing to the great length of the bill, they have been unable to examine its provisions with proper care. They would therefore recommend it to the consideration of the House, and leave the decision of its fate to them.

Respectfully submitted.

J. W. MARTIN, Chairman.

Report agreed to.

On leave, Mr. Johnson made the following report:

The Committee on the Judiciary and Criminal Jurisprudence beg leave to make the following statement to the House of Representatives, and respectfully request that the same may be spread upon its journal:

In a few days after your committee had been appointed by the Speaker of this House, there were a great number of bills referred to them that required much deliberation, tending mostly to cure defects that existed in the laws, either of commission or omission; hence a report upon such defects would have been uncalled for. And further, all the wholesome legislation referred to by the Governor in his message, to which, by reference of this House, the attention of your committee has been called, and they had been carried out, or steps taken therefor, before your committee had an opportunity to report thereon; and inasmuch as the committee, in their judgment, believe that a report upon that portion of the Governor's message which was objectionable to the committee, would only create a political debate, which would not only be useless in its tendencies, but absolutely ruinous to the best interests of the people, as such a course would necessarily deprive the people of much needful legislation, owing to the fact that we had a term limited to forty days, they did not report thereon.

All of which is respectfully submitted.

D. J. JOHNSON, Chairman.

The bill relocating the seat of justice of Douglas county still being under debate,

Mr. Brantly moved that the bill relocating the seat of justice of Douglas county be laid on the table.

Mr. Jenkins moved, as a substitute to Mr. Brantly's motion, that the House resolve itself into Committee of the Whole upon the state of the Territory. Motion lost.

Mr. Dolman moved that the bill to incorporate the Roseport Life and Fire Insurance Company be now taken up.

Mr. Brantly moved as a substitute to the motion to take up the bill to incorporate the Roseport Life and Fire Insurance Company, and the motion to reconsider the vote on the removal of the seat of justice of Douglas county, both be laid on the table.

Mr. Brantly asked leave to withdraw his motion to lay on the table. Objections were made, and the yeas and nays were called for.

Ayes—Messrs. Anderson, Brantly, Butcher, S. G. Brown, Bernard, Carr, Davis, Dolman, Fox, Fain, Garvin, Kuykendall, Martin, McKinney, Randall, Stout, Simmons, Waterson, Walker and Mr. Speaker—20.

Nays—Messrs. Johnson, Jenkins, Kirk, Thompson, Tebbs, Vaughan and Young—7.

Absent—Messrs. O. H. Browne, Garrett, Laws, O'Driscoll, Reese, Spratt, and White.

Mr. Thompson withdrew his motion to reconsider the vote on locating the seat of justice of Douglas county.

The vote on relocating the seat of justice was then announced: Yeas, 20; Nays, 7.

Wr. Waterson moved that the House now adjourn for one-half hour. Motion withdrawn.

On motion of Mr. Waterson, a Council bill entitled "An act to allow the Governor three days after the adjournment of the Legislature to sign certain laws," was taken up and read a first time; rule suspended, and bill read a second time; rule suspended, bill considered as engrossed, read a third time, and passed by

Ayes—Messrs. Brantly, S. G. Brown, Bernard, Carr, Davis, Dolman, Fain, Garvin, Jenkins, Kuykendall, Laws, McKinney, O'Driscoll, Randall, Stout, Tebbs, Vaughan, Waterson, Walker and Young—20.

Nays—Messrs. Anderson, Fox, Johnson, Kirk and Mr. Speaker—5.

Absent—Messrs. O. H. Browne, Butcher, Garrett, Martin, Reese, Spratt, Simmons, Thompson and White—9.

The Clerk was permitted to take the House bill, "An act re-locating the seat of justice of Douglas county," to the Council.

A message from the Council by Mr. Hughes, Chief Clerk:

Mr. Speaker—I am instructed to inform the House, that the Council has passed Council bill—

An act supplemental to an act entitled "An act to provide for the auditing of certain accounts."

And the President has signed the following Council bills:

An act to incorporate the Westphalia Town Company.

An act authorizing the Auditor of Public Accounts to settle with the Comptroller.

An act to charter the city of Lawrence.

An act supplemental to an act to incorporate the Leavenworth, Pawnee and Weston Railroad Company.

An act concerning conveyances.

And the President has signed the following House bills:

An act entitled "An act to authorize certain persons to build a bridge across the Grasshopper creek, near its mouth."

An act to provide for the location of the county seat of Riley county.

An act to define and establish the Representative Districts of the Second Legislative Assembly, and for other purposes.

An act to amend an act entitled "An act to incorporate the city of Leavenworth."

An act to incorporate the Palermo Insurance Company.

An act to incorporate the Central and Gulf Railroad Company.

Mr. Waterson offered the following resolution:

Resolved, That the thanks of the House of Representatives are hereby tendered to the Speaker, Speaker pro. tem., Chief Clerk, 1st and 2d Assistant Clerks, Sergeant-at-Arms, Door-keeper, Chaplain, and Enrolling and Engrossing Clerks, for the prompt and faithful discharge of their respective duties.

Read a first and second time, and agreed to.

Mr. Thompson offered the following resolution:

Resolved, That a committee of three be appointed to examine correctly and approve the Journal of to-day.

Read a first and second time, and agreed to.

Committee—Messrs. Thompson, Anderson and Garvin.

On leave, Mr. Anderson offered the following resolution:

Resolved, That the Council be now informed that the House of Representatives have completed all the business before them, and are now ready to adjourn *sine die.*

Read a first and second time, and agreed to.

Message from the Governor by his Private Secretary:

To the House of Representatives of Kansas Territory.

Gentlemen—I have the honor herewith to return you with my approval the following named bills:

An act to incorporate the Spring Town Company.

An act to incorporate the Missouri City Town Company.

An act to incorporate the Hamilton Town Company.

An act to incorporate the Centropolis Town Company.

An act to incorporate the Polasa Town Company.

An act to incorporate the Neoma Town Association.

An act to incorporate the Versailles Town Company.

An act to incorporate the Spartinsburg Town Company.

An act to incorporate the Marshall Town Company.

An act to incorporate the Louisville Town Company, Kansas Territory.

An act to incorporate the Kansas College Association.

An act to incorporate the Atchison Mill Company.

An act to incorporate the Leavenworth Fire and Marine Insurance Company.

An act to incorporate the Doniphan Coal and Mining Company.

An act to incorporate the Wanzappa Town Company.

An act to incorporate the Wheatland Town Company.

An act to incorporate the Town of Olantha.

An act in relation to trespass on school lands.

A bill to be entitled "An act to incorporate the Delaware and Lecompton Railroad Company."

An act to amend an act in relation to injunctions.

An act to locate permanently the seat of justice of Leavenworth county.

An act to locate a Territorial road.

An act to establish a Territorial road from Leavenworth city to Peora.

An act to establish a Territorial road from Marysvville, via Richmond and Claytonville, to the town of Troy.

An act to amend an act for securing liens to mechanics.

An act to establish a ferry at the city of Palermo, in Doniphan county.

An act to amend an act to provide for the collection of the revenue.

An act defining the duties and powers of County Commissioners, and other county officers, in certain cases.

An act to establish a Territorial road from the town of Atchison to the city of Lecompton, via Wiggleworth's ford, to Stranger creek.

An act to establish a Territorial road from the town of Olantha, on the Santa Fe road, to the crossing of the Wakarusa at Blue Jacket's.

An act to incorporate the Missouri River Bridge Company.

An act to provide for the location of the county seat of Davis county.

An act to incorporate the Mine Hill Railroad and Mining Company.

JNO. W. GEARY,
Governor of Kansas Territory.

Lecompton, February 20th, 1857.

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. Speaker—I am instructed to inform the House that the President of the Council has signed the following Council bills:

An act to authorize the payment of $129 8 to George Matney.

An act supplemental to an act to provide for the auditing of claims.

An act to reorganize the county of Franklin.

An act to amend an act entitled "An act to incorporate Leavenworth city."

And have reconsidered House bill to be entitled "An act to reorganize the Probate Courts and define their jurisdiction," and have indefinitely postponed the same.

The Committee on Engrossed and Enrolled Bills have examined a bill entitled "An act to incorporate a ferry at the town of Quindora," and find the same truly enrolled.

J. C. THOMPSON, Chairman.

Message from the Governor by his Private Secretary:

Gentlemen of the House of Representatives of Kansas Territory—

I herewith return with my approval the following bills:

An act to borrow money for Territorial purposes.

An act to incorporate the Cohooma Town Company.

An act more particularly to define the boundaries of the several counties of Kansas Territory.

An act to incorporate the Westphalia Town Company.

An act establishing a ferry on Kansas river.

An act to amend an act entitled "An act to provide for the establishment of common schools."

An act for the relief of Wm. I. Preston.

JOHN W. GEARY,
Governor of Kansas Territory.

Lecompton, K. T., February 20th, 1857.

Message from the Council by Mr. Marshall, a member:

Resolved by the Council (the House of Representatives concurring therein,) That the Governor be informed that the two Houses have completed all the business before them, and are now ready to adjourn; and that a committee of one on the part of the Council be appointed to act in concert with a committee of two upon the part of the House, to inform the Governor thereof. Read a first and second time, and agreed to.

Committee—Messrs. Anderson and Waterson.

Message from the Council by Mr. Easton, a member:

Mr. SPEAKER—I am instructed to inform the House of the following concurrent resolution:

Resolved by the Council, (the House concurring therein,) That each member of the Legislative Assembly shall receive a copy of the Journal of each House; also the officers of each House, the Governor and Judges of the Supreme Court, the Territorial officers, and the remaining number of copies to be distributed equally among the several counties, to be deposited with the clerks of the County Courts for distribution; and one hundred copies shall be received by the Secretary to be deposited with the Librarian.

Read a first, second and third time, and agreed to.

A message from the Governor by Messrs. Anderson and Waterson:

Gentlemen of the House of Representatives of Kansas Territory—

I have the honor to return, with my approval, the following bills:

An act to amend an act entitled "An act to incorporate the city of Leavenworth."

An act to authorize the building of a bridge across Grasshopper creek, near its mouth, in the Territory of Kansas.

An act to incorporate the Grand Central Railroad Company.

An act to establish and define the Council and Representative Districts for the Second Legislative Assembly, and for other purposes.

An act to provide for the location of the county seat of Riley county.

An act to incorporate the Palermo Insurance Company.

An act to establish a ferry across the Missouri river, at the town of Quindora.

I shall have no further communication to make during the present session.

JOHN W. GEARY,
Governor of Kansas Territory.

LECOMPTON, K. T., February 20th, 1857.

INDEX.

A

ACTS.
(See BILLS.)

Page

AYES AND NAYS.
- On motion to print copies of Governor's message for distribution 24
- On amendment to motion concerning stamped envelopes 30
- On motion to authorize Clerk to employ Assistant, &c 31
- " " that a certain resolution be postponed indefinitely 39
- " " concerning Council bill No. 5 40
- To recommit a bill 42
- On adjournment 43
- On motion to reconsider the vote of agreement 50
- Concerning marriage licenses 59
- On joint resolution offered by Mr. Thompson 70
- On motion to suspend rules, &c 73
- On reconsideration of vote of passage 83
- On report of Committee of Roads and Highways 85
- On bill appointing W. T. Sherrard, Sheriff of Douglas county 87
- Passing certain act despite Governor's veto 104
- On adoption of certain report 106
- On motion to suspend reading of certain railroad bill 114
- On reconsideration of vote rejecting Council bill to incorporate Leavenworth Lyceum 118
- On motion to reject bill establishing road from Kickapoo to Topeka 121
- On adjournment 124
- On bill regulating practice of physicians 129
- On Council bill No. 70 133
- On bill redistricting the Territory 135
- On sustaining the Chair 139
- To suspend rules 149
- On Mr. Brantley's motion, &c 156
- On minority report of Committee of Roads and Highways 163
- On bill to organize County of Coffey 168
- On act supplemental to act to locate Territorial Roads 171
- On Mr. Dolman's motion, &c 174
- On bill to establish Ferry at Atchison 176
- To suspend rules 178
- On bill concerning oaths, &c 180

Page

AYES AND NAYS—*Continued.*

On majority report concerning Banks 181
Concerning Wm. T. Sherrard, &c 187
On amendment to report concerning Public Buildings 190
On an act regulating actions 196
Locating county seat of Leavenworth 199
Concerning Ferry at Quindaro 209
On suspension of rules 212
On bill to incorporate Kansas Land Agency Company 215
On adjournment 219
Rejecting House bill 224
On rejection of House bill 252
On certain amendments 254
“ “ 256
Refer bill to Select Committee 260
Passing message despite Governor's veto 276
Agreeing to majority report of Select Committee 296
An act allowing Governor three days after adjournment to sign certain bills 302

AGRICULTURE—COMMITTEE ON 32

ACCOUNTS—COMMITTEE ON 33

ANDERSON, JOS. C.

Representative from Douglas county 3
Appeared and presented his certificate of election 3
Nominated for Speaker 4
Vote for Speaker 6
Vote for Clerk 7
“ Assistant Clerk 7
“ Sergeant-at-Arms 8
“ Door-keeper 8
Moved that committee be appointed to wait on Governor, &c 9
Appointed on said committee 9
Moved that Hall of House be tendered to Convention 9
Moved that rules of last House be adopted 9
Report as Chairman of Committee 10
Moved to receive the Governor's Message, &c 10
Motion on bill to print copies of Journal for distribution 24
Moved to suspend rules 25
Moved to declare B. F. Brantley unanimously elected 25
Moved to constitute Messrs. Brantley and O'Driscoll committee, &c 26
Moved to adjourn 26
Moved that the members of House draw for their seats 27
Moved for a recess 27
Moved that reporter of Journal be admitted within Bar of House 28
Offered certain resolution 31
Offered resolution that Speaker of House employ Assistant Clerk, &c 31
Moved to invite certain distinguished guests within Bar of House 31
Appointed on following Committees: on Federal Relations; on Judiciary and Criminal Jurisprudence; on Elections; on Engrossed and Enrolled Bills 32
Appointed on Committee to invite guests within Bar of House 32
Moved to take up Governor's Message 33
Appointed on Committee on Governor's Message 33
Report of, from Special Committee on Governor's Message 36

Page

ANDERSON, JOS. C.—*Continued.*
- Offered a joint resolution 37
- Moved to suspend rules 40
- Moved to tender Rev. Mr. Calloway the hall to deliver a sermon 41
- Appointed on Joint Committee on part of House 42
- Moved to suspend rules, &c 43
- Introduced a bill to provide for the removal of county seats 47
- Moved to take up instructions of House to Committee on Judiciary 49
- Offered resolution, &c 49
- Moved to appoint committee of five on Public Printing 49
- Moved to suspend regular business, &c 53
- Moved that the House instruct committee to discontinue printing of Journal, &c 55
- Report of, from Committee on Federal Relations 61
- Introduced a bill to incorporate Shannon Hotel Company 72
- Offered an amendment to certain bill 74
- Introduced a bill to incorporate Missouri and Kansas Railroad Company 75
- Appointed Chairman of Committee for reorganizing Judicial Districts 75
- On Committee to correspond with Legislatures of Nebraska and Texas in regard to railroads 76
- Report of, from Special Committee 84
- Moved to take up Council bill to define the Judicial Districts of Kansas Territory 94
- Moved to make call of House 95
- Moved to take up certain act with Governor's Message 100
- Moved to read report of Council Judicial Committee 103
- Moved to take up report of Committee on Federal Relations 105
- Moved certain amendments 106
- Report of, as chairman of Joint Committee for taking census, &c 110
- Offers certain amendments 112
- Moved to take up bill authorizing formation of Railroad Companies 115
- Resolution of, that the two Houses go into joint session, &c 117
- Moved to reconsider the vote rejecting Council bill to incorporate Leavenworth Lyceum 118
- Resolution of, that the Council be requested to return a bill chartering the Leavenworth Lyceum to this House 118
- Moved to take up Missouri River and Rocky Mountain Railroad charter 119
- Introduced a bill to repeal, in part, section 18 of article 6, of chapter 129 122
- " " to regulate hedges on roads and highways 139
- Moved that the Clerk request the Council to return certain Council bill, &c 139
- Introduced a bill to incorporate Big Spring Town Association 146
- Moved that the House resolve itself into Committee of the Whole, &c 147
- Gave notice of introduction of an amendment to article 5, section 5, of Rules of Order, &c 149
- Moved to take up House bill for relief of Collectors of Public Revenue 151
- Offered certain amendments 152
- " " " 155
- Moved that the report of the minority of Committee on Roads and Highways be agreed to 162
- Introduced certain concurrent resolutions 165
- Offered an amendment to an act in relation to Railroad Companies 167
- On motion of, rules of House were changed, &c 175
- Moved a call of House 176
- Moved to suspend rules 177
- Withdrew his substitute to Mr. Brantley's motion 179
- Moved that Mr. Waterson be selected as chairman 179

Page

ANDERSON, JOS. C.—*Continued.*
Introduced a bill to incorporate the Neoma Town Association.......179
“ “ “ the Sebastian “ “.......179
Appointed on committee, &c.......179
Moved to excuse committee from serving, &c.......180
Offered resolution requesting Governor to inform the House whether he has appointed county officers, &c.......181
Resolution of, concerning the difficulty between Gov. Geary and W. T. Sherrard.188
Report of, from Committee on Banks.......190
Moved that the House form Committee of Whole on report of Militia.......203
Moved that bill regarding oaths be referred to Committee on Judiciary.......207
Moved to suspend rules to allow him to introduce a bill.......213
Introduced a bill to amend an act for securing liens to mechanics, &c.......214
“ “ “ “ concerning injunctions.......214
Appointed on Select Committee on bill incorporating Laurel Hill Cemetery Association.......216
Offered concurrent resolution that 2000 copies of “An act to provide for taking census” be printed for distribution, &c.......227
Report of, for the Committee on Judiciary and Criminal Jurisprudence.......235
Report of committee on “Act to incorporate Laurel Hill Cemetery”.......235
Report of, from Committee on Federal Relations.......236
Moved a call of House.......242
Offered certain amendment.......250
Moved that bill to organize Probate Courts, &c., be taken up.......254
Moved to amend by putting 1857 in place of 1858.......254
Offered amendment.......254
Moved that 500 copies of House resolution and Governor's Message be printed..260
Vote for District Attorney.......272
Vote at the election of Browne county officers.......273
“ “ Breckenridge “.......274
Introduced a bill to incorporate Missouri Bridge Company.......277
Moved to take up the Council amendments to House bills.......277
Votes for different county officers.......277, 278, 279
Offered amendment to certain bill.......281
Offered resolution, giving ten dollars to Sergeant-at-Arms and Door-keeper for extra services.......282
Report of, concerning an act to organize Probate Courts, &c.......282
Moved to lay a certain Council bill on table.......282
Moved to dispense with further reading of Journal.......285
Vote for Commissioners for Leavenworth county.......289
Vote for County Commissioners.......290
“ Bank “.......292
Moved to lay over the bill incorporating Kansas Valley Bank.......295
Resolution concerning furniture of Treasurer and Comptroller's offices.......297
Offered resolution to appoint committee to fix compensation for Mr. Stuck, Enrolling Clerk of House.......299
Asks leave to make report on Enrolled bills.......300
Resolution of, to inform the Council that the House was ready to adjourn *sine die*.......303
Appointed one of committee to inform Governor thereof.......306

B

BRANTLEY, B.
Representative from Bourbon and Allen counties.......3
Appeared and presented his certificate of election.......3

Page

BRANTLEY, B.—*Continued.*

Vote for Speaker 6
Moved that the printing of message be given to Union Office, Lecompton 26
Appointed one of committee to have it printed 26
  " on the following Committees: on Bounds of Counties and Districts; on Engrossed and Enrolled Bills; on Accounts 33
Introduced a bill for relief of Collectors of Public Revenue 33
Resolution of, that the rule that notice be given of the introduction of bills at a future day be stricken from the rules of House 39
Gave notice of the introduction of "A bill to increase constable's fees" 39
Moved that bill concerning Superintendent of Public Printing be recommitted 42
Moved that the House adjourn till Monday, 10 A. M. 43
Introduced bill to amend an act providing for pay of officers and others 49
Appointed one of a Special Committee of five on Public Printing 49
Report of, from Committee of Accounts 49
Moved to reconsider the vote on passage of bill establishing Territorial Road from Atchison to Kansas river, &c. 54
Asked for instructions 55
Introduced a bill to locate a Territorial Road from Council City to town of Columbia 57
Appointed one of committee for reorganizing Judicial Districts 75
Moved that the House form Committee of Whole to consider the report of Committee on Federal Relations 76
In the chair 86
Moved to postpone further consideration of bill concerning W. T. Sherrard 87
Moved to dispense with printing of certain bills 95
  " to dispense with regular order of business 125
  " to lay certain amendment on table 129
  " adjournment 129
Resolution of, that Committee on Judiciary be instructed to report Council bill back to House 135
Gave notice of introduction of bill to incorporate Sprattville Town Company 135
Resolution of, to appoint committee of three to examine into correctness of Journal 138
On motion of, bill redistricting Judicial Districts taken up 148
Appointed on Select Committee 152
Moved that a certain bill be laid over, &c. 178
Moved to send up concurrent resolution of Council in regard to introduction of bills 195
Offered a concurrent resolution 202
Moved suspension of rules 207
Report of, from Committee on Enrolled and Engrossed bills 211
Introduced a resolution that the Council and House go into joint session, to fill vacancies in Territorial offices 215
Appointed one of Select Committee regarding bill to organize Probate Courts 229
Resolution of, that the Committee on Internal Improvements be requested to report all railroad bills in their hands, &c. 267
Appointed on Special Committee 243
Votes for different county officers 272, 273, 274, 278, 279, 290
Nominated T. W. Waterson, of Doniphan, for Bank Director 292
Moved that the bill relocating county seat of Douglas be laid on the table 301
Moved to take up the bill to incorporate Roseport Life and Insurance Company 301
Asked leave to withdraw his motion 301

Page

BRANTLEY, B. F.

Nominated for Chief Clerk 7
Unanimously elected Enrolling Clerk 25
Sworn in as Enrolling Clerk 39

BROWNE, O. H.

Member of Legislature from Douglas county 3
Presented his certificate of election and sworn in 3
Nominated Mr. Anderson for Speaker 4
Nominated Mr. Corlew for Door-keeper 8
Appointed on Committees of Judicial and Criminal Jurisprudence and on Finance 32
Offered a resolution that Secretary of Territory present each member a copy of Statutes of Kansas, &c., &c. 34
Gave notice of introduction of bill repealing 12th section of a certain act 39
Report from Committee on Finance 41
" " " 43
Moved to refer bill establishing Superintendent of Public Printing to Committee of Accounts 45
Introduced an act supplemental to an act to provide for location of roads 56
" " to authorize Hugh Cameron to keep a Ferry 56
Reports of Committee on Finance 67
Appointed on Committee for reorganizing Judicial Districts 75
Moved to have House bill No. 16 printed 112
Introduced a bill to provide for the continuance and erection of public buildings 117
Report of, being Chairman of Committee 127
Offered resolution that Council be requested to send vouchers, &c., on which is based Council bill No. 19 127
Moved substitute to Mr. Mathias' amendment 156
Moved to take up report on Dollar Law 181
Reported from Committee on Finance 182
" " " 213
Moved to refer bill and report to a Select Committee 213
Appointed Special Committee on Laurel Hill Association act 216
Report of committee on act making appropriations for 1855 and 1856 223
Moved to take up bill for relief of George Matney 227
Moved an amendment in Council bill 142 236
" " " " 236
" " " " 236
Moved an amendment in section 6 of bill reorganizing boundaries of certain counties 242
Excused from voting 247
Report upon Act to borrow money for Territorial purposes 251
Moved an amendment to bill defining boundaries of several counties 255
Votes for different district officers 272, 273, 274, 278, 279
Votes for County Commissioners 289, 290, 291
Votes for Bank Commissioners 292
Majority report of committee to relocate Douglas County seat 296
Offered resolution to return thanks to Mr. Speaker 297

BROWN, SOL. G.

Representative from Madison and Breckenridge counties 3
Appeared and presented his certificate of election 3

Page

BROWN, SOL. G.—*Continued.*

Moved to adjourn 5
Vote for Speaker 6
Vote for Sergeant-at-Arms 8
Vote for Door-keeper 8
Moved to amend an amendment 24
Vote for Engrossing Clerk 25
Appointed on Committee of Accounts 33
Appointed on Special Committee 37
Vote for different county officers 272, 273, 276, 278, 279, 290

BERNARD, J. M.

Representative from Franklin and Anderson counties 3
Appeared and presented his certificate of election 3
Vote for Speaker 6
Appointed on Committees on Education and Accounts 33
Appointed on Special Committee on Public Printing 49
Introduced a bill to establish Territorial Road from Lecompton to Cofachique 52
Gave notice of the introduction of an act to organize county of Franklin 55
Introduced a bill to incorporate the Centropolis Town Company 232
Votes for different county officers 272, 273; 274, 278, 279, 290

BILLS—HOUSE.

To establish a Territorial Road from Wyandott via Secondine to Lecompton 33
For the relief of the Collectors of Public Revenue 33
A bill to incorporate the National Hotel Company 33
To provide a Digest of the Civil and Criminal Code of the Jurisprudence of Territory 33
A bill to establish a road from Wyandott to Parkville, Mo. 34
To incorporate Kansas Land Agency 34
To establish a Territorial Road from Atchison, via Mount Pleasant, to some point on Missouri river opposite Lecompton 37
To establish a Territorial Road from Atchison to Lecompton, via Wigglesworth, ford 39
To incorporate City of Atchison 39
To increase constable's fees 39
To legalize the acts of County Commissioners of Anderson county 40
To incorporate Pierce Town Company 40
To provide for speedy taking of census of Territory 40
For the immediate organization of Browne county 40
Regulating marks and brands 41
To incorporate the Town of Bloomington 41
Bill to permanently locate county seat of Linn county 42
To incorporate the Kansas Steamboat Company 45, 50
To establish the office of Superintendent of Public Printing 54
To establish a Ferry at Big Sugar creek 56
Concerning Marriage Licenses 59
To incorporate the Town of Palmetto 81
" " Reseport Town Company 81
" " Wyandott City Company 81
" " Kansas Locating Company 82
To authorize Hugh Cameron to keep a Ferry 82
An act to declare the military road from Fort Riley north-west to the Nebraska line a Territorial Road 83
An act supplemental to an act to provide for the location of Territorial Roads 83

Page

BILLS—HOUSE—*Continued.*

To establish a Territorial Road along the valley of the Big Blue river...... 83
To locate and establish a Territorial Road from Fail's store to Cofachique......84
" " " " Doniphan, via Iowa, to Kansas and Nebraska line......84
To locate and establish a Territorial Road from St. Mary's Mission to Fort Riley......84
To locate and establish a Territorial Road from Lecompton to Barnsville......85
" " " " Council city to town of Columbia......85
" " " " Lecompton to Roseport......85
To make valid the appointment of W. T. Sherrard as Sheriff of Douglas county......87
To establish a Territorial Road from Atchison to Vermillion city......89
To incorporate Vermillion City Company......90
" Town of Mount Pleasant......90
" Town of Shannon......91
An act declaring certain banking associations unlawful......93
" for the recovery of debts by attachment......93
To authorize Mary Elizabeth Spratt to sue for a divorce......96
" Judges to admit to bail in certain cases......100
To incorporate the Shannon Hotel Company......104
" Town Company of Eureka......104
" Newcastle Town Company......114
To legalize the acts of Board of County Commissioners of Anderson......114
For the relief of Revenue Collectors......114
Supplemental to an act to establish a Territorial Road to the crossing of the Great Nemaha......114
To incorporate Leavenworth Lyceum......114
Repealing an act supplemental to an act to provide for collection of revenue......115
To charter a Ferry at Calhoun, K. T.......115
To amend an act to provide for the pay of officers and others......115
To incorporate the City of Iowa Point......115
" the Manhattan Institute......115
To establish a Territorial Road from Lecompton to Cofachique......115
To authorize the formation of Railroad Companies......115
Supplemental to an act to grant pre-emption to school lands in certain cases......116
To incorporate the Town Company of Pierce......117
" Manhattan Town Association......117
To charter the Missouri River and Rocky Mountain Railroad......119
To incorporate the Town Company of America......125
To amend an act concerning strays......127
To incorporate the Newcastle Coal and Mining Company......127
To regulate the practice of physicians......129
An act to prevent horse stealing......132
To change the name of J. S. H. Martin to J. S. H. Burriss......132
To declare the military road from Fort Leavenworth to Fort Laramie a Territorial Road......133
To establish a Territorial Road from Leavenworth to Lecompton, &c.......134
" " " from Shawnee Mission to Cofachique......134
To declare a Military road a public highway, &c.......134
To incorporate Lodiana Town Company......136
" Planters' Hotel Company......136
" Ogden Town Company......137
To establish a road from Kickapoo to Lecompton......137
Incorporation of Roseport Insurance Company......142
" Town of Delaware......142

Page

BILLS—HOUSE—*Continued.*

Incorporation of Town of Atchison........142
“ Ferry at Ogden, K. T.........142
Territorial Road established........143
Incorporation of St. George Bridge Company........143
To encourage navigation of Kansas river........155
To regulate hedging on roads and highways........155
To establish road from Lecompton to Richmond........159
Topeka Bridge Company incorporated........159
To establish road from Big Springs to Council Grove........159
Incorporation of Town of Paris in Linn county........168
“ Sprattsville Town Company........168
“ Atchison Hotel “ 169
“ Palermo Town “ 169
“ Greenwood Town “ 169
“ Topeka City “ 175
“ Big Springs Town “ 175
“ Wyola “ “ 176
“ Atchison and Lecompton Railroad Company........177
“ Sebastian Town Company........179
“ Neoma “ “ 179
A bill prescribing oaths, &c.........180
Incorporation of Claytonville Town Company........181
Incorporation of Ottawa Town Company........182
“ Lecompton Improvement Association........182
An act amendatory to regulate executions........182
For the protection of Luther M. Carter and Tecumseh Town Association........183
Incorporation of City of Leavenworth........183
Locate a road from Palermo to Fort Riley........184
Incorporation of Lawrence Bridge Company........184
Locate a road from Lodiana to a point opposite St. Joseph........184
“ “ “ Leavenworth to Ossawattamie........184
Incorporate Marysville, Palmetto and Roseport Railroad Company........184
“ Prairie City and Missouri State Line “ “ 184
“ Territorial Road from Marysville to Council Grove........185
“ a Ferry across the Missouri river at Quindaro........185
“ Atchison and Fort Riley Railroad Company........185
“ “ and Vermillion City “ “ 192
“ Palermo Insurance Company........192
“ Wheatland Town “ 192
“ Franklin “ “ 193
“ Shawnee “ “ 193
“ Kansas Territorial University........193
“ Wakarusa City Seminary........194
To incorporate Kansas Female Collegiate Insititute........194
“ Breckenridge College........194
To authorize N. B. Blanton to receive tolls........195
“ Leavenworth City to borrow money........195
Supplemental to act to incorporate Lecompton Bridge Company........195
An act regulating actions........196
To incorporate the Tauroma Town Company........196
“ Wakarusa City “ “ 196
“ Willow Springs “ “ 196
“ Agnes City “ “ 196

Page

BILLS—HOUSE—*Continued.*

To authorize Lecompton City to borrow money 197
To incorporate Kansas Land Agency 197
To establish Territorial Road 197
To incorporate Missouri River and Pacific Railroad Company 200
  " Palermo and St. Joseph " " 200
  " Palermo and Lecompton Railroad 200
  " Lecompton Building Association 201
For the election of officers of militia 204
To establish Territorial Road 206
To incorporate Missouri and Kansas Railroad Company 206
  " Buchanan Town Company 209
  " Wheatland " " 209
  " Wyandott " " 209
  " Ferry at Quindaro 209
  " Newcastle Coal Mining Company 210
  " Palermo City 210
  " Topeka Bridge Company 210
For the relief of W. I. Preston 210
To incorporate Springfield Town Company 210
  " Carolina " " 211
  " Grasshopper Creek Bridge Company 212
  " Leavenworth Fire and Marine Insurance Company 212
  " Kansas Land and Loan Association 212
  " Willow Springs Mining and Manufacturing Association 212
To locate the Penitentiary 215
To organize County of Breckenridge 216
In relation to resignations 216
To incorporate Charlottesville Town Company 216
  " Palermo Hotel " 216
  " Prairie City and Missouri River Railroad Company 217
An act to prevent the firing of woods and marshes 222
Making appropriations for 1855 and 1856 223
Authorizing Judges of Probate Court to take proof of deeds, &c. 224
Legalizing acts of Probate Court and Commissioners of Shawnee county 225
Providing for the distribution of public documents 226
Concerning injunctions 226
For relief of George Matney 227
For taking a census 227
Explanatory of an act organizing the Militia 229
To incorporate Olantha Town Company 229
  " Laurel Hill Cemetery 235
  " Kansas River Navigation Company 241
  " Louisville Town Company 245
  " Spartinsburg " " 245
  " Atchison Hotel " 245
An act regulating and managing Territorial Library 246
To provide for Public Schools 246
To incorporate Doniphan Improvement Association 246
  " Doniphan Coal Company 247
In relation to trespass on school grounds 247
To establish Territorial Road 247
  " Eastern Kansas and Gulf Railroad Company 248
To incorporate Hamilton Town Company 249
  " Marshall " " 249

Page

BILLS—HOUSE—*Continued.*

To incorporate Valley Town Company 249
" " Centropolis " " 249
Establish Ferry at Palermo 249
To extend the time given to James Findlay to build a Bridge, &c. 249
Establish a Territorial Road 250
" " " from Wakarusa to Council Grove 250
" " " from Leavenworth to Peoria 250
" a Ferry ten miles from the mouth of Kansas river 250
To define Council and Representative Districts, &c. 251
To incorporate Versailles Town Company 253
" Aurora " " 253
" Lecompton " " 253
" Wanzoppa " " 253
" Polasa " " 254
To organize Probate Courts, &c. 254
To define the boundaries of several counties 259
To organize County of Davis 261
Establish a Ferry at Parrish's Landing 261
To establish a Territorial Road 261
To incorporate Haskell College 261
" Centropolis College 262
For the location of seat of Davis county 262
To incorporate Wewatha Town Company 265
" a Territorial road 265
To incorporate Stranger Bridge Company 265
To establish Territorial Road from Shannon to Hampden 268
" " " " Lecompton, &c. 269
" " " " Atchison to Lecompton 269
To attach certain territory to county of Madison 269
To incorporate Emporia City 277
" Missouri River Bridge Company 277
To appoint a Codifier of the Statutes of Kansas 281
To abolish the office of Auditor, &c. 281
To establish a Bridge across Missouri river 282
To incorporate Roseport Fire and Life Insurance 287
Supplemental to act to incorporate Leavenworth, Pawnee, &c., Railroad Co. 288
To amend the charter of Leavenworth City 295

BILLS, COUNCIL.

An act to incorporate Iowa Town Company 39
" establishing office of Superintendent of Public Printing 39
Regulating marks and brands 39
To incorporate Town of Bloomington 39
An act for the speedy taking of census 40
Declaring certain banking associations unlawful 42
Regulating actions 42
To amend an act to provide for recovery of debts by attachment 47
To incorporate Leavenworth Lyceum 47
To punish offences against slave property 59
To incorporate Powhattan Town Company 72
Concerning tender and confession 72
To incorporate Buffalo Town Association 72
Concerning pounds, distraining animals 72
A bill to encourage navigation of Kansas river 72

Page

BILLS—COUNCIL.—*Continued.*

A bill supplemental to an act to incorporate City of Leavenworth 72
A bill to organize County of Coffey 72
“ to incorporate the Town of Doniphan 73
“ in relation to public roads 86
“ to declare a Military road a public highway 86
“ to establish a Territorial Road from Kickapoo to Topeka 86
“ “ “ “ Leavenworth to Lecompton 86
“ to incorporate the Marysville, Palmetto and Roseport Railroad Company 86
“ to locate a road from Shawnee mission to Cofachique 86
“ to punish horse stealing 88
“ to incorporate Lecompton Improvement Association 88
“ to authorize Mary Elizabeth Spratt to sue for a divorce 88
“ to incorporate Prairie City Coal and Mining Association 99
“ in relation to associations 99
“ to incorporate the Geneva Town Company 110
“ to authorize City of Leavenworth to borrow money 111
“ to regulate suits on certain instruments 111
“ to incorporate a Ferry at Ogden, K. T. 111
“ “ Wakarusa Town Company 111
“ to declare the Military road from Fort Leavenworth to Fort Laramie a Territorial Road 111
An act to amend an act to regulate the limitation of actions 117
“ to incorporate Carolina Town Company 117
“ to amend an act concerning the plats of towns and villages 117
“ to incorporate Wakarusa Seminary 117
“ “ Sabitha Town Company 117
“ “ St. George Town Company 125
“ “ St. George and St. Joseph Railroad Company 125
“ establishing Territorial Road from St. Joseph, Mo., to St. George, K. T. 125
“ “ “ “ “ Kickapoo to Lecompton 125
“ “ Territorial Road 125
“ to amend an act to establish and regulate justices' courts 125
“ in relation to Railroad Companies 125
“ to incorporate St. George Bridge Company 125
“ amendatory to an act to regulate proceedings in criminal cases 141
“ An act particularly to define the boundaries of counties 141
“ An act supplemental to an act to incorporate Leavenworth, Pawnee and Weston Railroad Company 150
“ to authorize Judges of Probate Court to take acknowledgments, &c. 150
“ amendatory of an act to regulate executions 150
“ providing for the organization of incorporations 150
“ establishing Ferry at Wyandott City 151
“ incorporating Ottawa Town Company 151
“ “ Claytonville Town Company 151
“ “ Buchanan “ “ 151
“ “ Breckenridge College 151
“ locating road from Marysville to Council Grove 151
“ for the relief of John W. Smith 151
“ incorporating Eastern Kansas and Gulf Railroad Company 151
“ “ Lawrence Bridge Company 151
“ “ Kansas Female Collegiate Institute 151
Act to define the duties of Sheriffs and Collectors of Revenue 151
Act locating road from Prairie city to Lecompton 157
“ “ “ Leavenworth to Ossawattamie 157

Page

BILLS—COUNCIL—*Continued.*

An act to incorporate Palermo and St. Joseph Railroad Company 167
" prescribing the compensation of County Treasurers 167
" incorporating Marysville and Palermo Railroad Company 167
" " Shawneetown 167
" " Palermo and Lecompton Railroad Company 167
" to punish scandal and libel 178
" to punish rebellion 178
" to prevent and punish riots, &c. 178
" incorporating Lenora Town Company 178
" for the organization of Railroad Associations 183
" to change name of J. S. H. Martin to J. S. H. Burriss 188
" to locate road from Paola to Pierce 188
" incorporating Planters' Hotel Company 188
" establishing road from Leavenworth to Lecompton 188
" " " Kickapoo to Lecompton 188
" incorporating St. George Bridge Company 188
" " City of Wyandott 188
" extending time granted to James Findlay, &c. 192
" locating road from Palermo to Claytonsville 192
" incorporating Kansas River Navigation Company 192
" in relation to incorporations 192
" " resignations 192
Act to establish road from Wakarusa to Council Grove 198
Bill to locate Penitentiary 198
Bill incorporating Laurel Hill Cemetery Association 198
" " Midway Town Association 198
" establishing a Territorial Road from Lawrence to Burlington 198
Act incorporating Wewaka Town Company 198
Act to organize Breckenridge County 208
Act incorporating Rising Sun Town Association 220
Act extending and defining the jurisdiction of Probate Courts 220
Act prescribing time and place of holding District Courts 220
Act incorporating Buchanan University 220
" " St. Joseph and Topeka Railroad Company 220
" " Madison Town Company 220
" " Monique " " 220
An act to incorporate Chaumier Town Association 220
" " Virginia " " 220
" " Shenandoah " " 220
" " Nicaragua " " 220
" " Kansas Female College 220
" " Palermo and St. Joseph Railroad 220
" to authorize formation of Railroad Companies 252
" to amend second article of an act concerning costs 277
" to incorporate St. Leander Town Company 277
" making appropriations for the expenses of 1857 277
" to incorporate Petrea Town Company 277
" to define definitely the eastern boundaries of Leavenworth 277
" to reorganize Probate Courts, &c. 277
" to incorporate Olantha Town Company 277
" to establish a Ferry across Kansas river 277
" to organize County of Davidson 288
" to provide for pay of Clerks 288
" to prohibit circulation of paper currency, &c. 288

Page

BILLS—COUNCIL.—*Continued.*

An act to incorporate Tecoah Town Company 288
“ to establish a road from Polasa to Centreville 288
“ “ Stranger Creek Bridge Company 288
“ “ Eudora Town Company 288
“ “ Heiskell College 288
“ to incorporate Kansas Water-Power and Manufacturing Association 288
“ “ Lexington Town Company 288
“ “ Clinton “ “ 288
“ to establish a road from Lecompton to Sac and Fox Agency 288
“ to amend 11th article of act concerning costs 289
“ to prevent civil officers from speculating in Territorial warrants 289
“ to incorporate Dickinson County 289
“ “ Geary Town Company 289
“ “ Cherokee Town Company 289
“ to abolish office of Auditor, &c. 294
“ to authorize payment of $129 80 to George Matney 305
“ to provide for auditing of claims 305
“ to reorganize County of Franklin 305

BUTCHER, H.

Member of Legislature from Douglas county 3
Presented certificate of election and sworn in 3
Nominated George S. Keyser for Door-keeper 8
Offered resolution that Secretary of Territory be requested to furnish sufficient number of desks, &c. 27
Was appointed to inform the Secretary of passage of resolution 27
Report of, from Secretary of Territory 30
Appointed on Committee on Corporations and on Agriculture 32
Gave notice to locate Territorial Road from Willow Springs to Lecompton, &c. 52
Introduced a petition from sundry citizens of Douglas county 89, 109
Introduced bill to incorporate the Willow Springs Town Company 113
“ “ “ Willow Springs Manuf. and Mining Company 113
“ bill to establish Territorial Road from Paola to Lecompton 138
“ “ incorporate Town of Wheatland 170
“ “ relocate the county seat of Douglas 195
Appointed on Special Committee concerning Laurel Hill Cemetery 216
Introduced a bill to incorporate the Missouri City Town Company 231
Votes for different district officers 272, 273, 274, 278, 279
Vote for County Commissioners 289, 290, 291
Vote for Bank Commissioners 292
Moved a call of the House 285
Report of, in the minority of committee to whom was referred House bill 296

BOUNDS OF COUNTIES AND DISTRICTS—COMMITTEE ON 32

C

COMMITTEES.

Appointed to wait on Governor and inform him that Legislature was organized 9
To have Governor's message printed, Messrs. Brantly and O'Driscoll 26
On rules, Messrs. Simmons, Waterson and Kuykendall 27
To inform Secretary of Territory of resolution about furniture of House 27
To invite Ex-Governor Ransom and other gentlemen to take seats within Bar of House 31

Page

COMMITTEES—STANDING.

Federal Relations 32
Judiciary and Criminal Jurisprudence 32
Internal Improvements 32
Finance 32
Corporations 32
Education 32
Bounds of Counties and Districts 32
Elections 32
Roads and Highways 32
Public Buildings 32
Agriculture 32
Militia 32
Engrossed and Enrolled Bills 33
Accounts 33
On Governor's message, Messrs. Anderson, Kuykendall, Johnson and Thompson 33
To examine and report upon Book of Forms, Messrs. Thompson, Jenkins, Anderson, Carr and Waterson 34
To locate county seat of Linn county, Messrs. Fox, Brantley and S. G. Brown 37
Special Committee on Public Printing, Messrs. Brantley, Waterson, Fox, Kuykendall and Bernard 49
Special Committee on Banks, Messrs. Tebbs, Simmons, Thompson, Fox and Randall 54
Committee of the Whole House on Federal Relations 86, 95
Committee of the Whole House on redistricting Kansas Territory, &c. 147
Special Committee on Council bill No. 37, Messrs. Anderson, Waterson, Kuykendall, Simmons and Carr 179
Select Committee on House bill No. 89 185
Committee of Whole House, on Militia 203
On bill amendatory and supplemental to an act to license and tax merchants 213
Special Committee on Laurel Hill Cemetery Association, Messrs. Anderson, Browne and Butcher 216
Special Committee to extend and define the jurisdiction of Probates, Messrs. Tebbs, Brantley and O'Driscoll 243
Committee on Mr. Garrett's resignation, Messrs. Anderson, Johnson and Fox 259
Special Committee on bill to incorporate the Roseport Fire and Life Insurance Company 300
To examine the Journal, Messrs. Thompson, Anderson and Garvin 303
To correspond with Legislature of Nebraska and Texas with regard to railroads .. 76

CARR, JOSEPH P.

Representative from Atchison county 3
Presented his certificate of election and sworn in 3
Vote for Speaker 4
Nominated John Robinson for Sergeant-at-Arms 7
Nominated Dr. J. H. Stringfellow for Public Printer 28
Appointed on Committees of the Judiciary and Criminal Jurisprudence, and on Education 32
Appointed on Committee of Governor's message 33
" " to examine Book of Forms 34
Gave notice of the introduction of bill to establish Territorial Road from Atchison to Lecompton, and incorporate City of Atchison 39
Moved to suspend rules and take up bill to establish Superintendent of Public Printing 41

Page

CARR, JOSEPH P.—*Continued.*

Introduced bill to establish Ferry at Atchison 57
Appointed on Committee to reorganize Judicial Districts 75
Introduced resolution to grant leave of absence to Sergeant-at-Arms, &c. 89
Gave notice of the introduction of bills to incorporate the Perry Town Company, and to incorporate the Bank of Atchison 108
Moved to take up House bill No. 16 111
Introduced a bill to incorporate Atchison and Fort Riley Railroad 113
" " " Atchison and Lecompton Railroad 113
Chairman of Committee on Education, report of 116
" " and report of, on House bill No. 89 129
Introduced a bill to incorporate the Atchison Hotel Company 136
Appointed on committee to examine Journal, &c. 138
" " " on report from Committee on Internal Improvements 150
Chairman of committee to examine Journal and report of 170
Report of, from Special Committee on act to incorporate A. & L. R. R. C. 177
Appointed on committee on Council bill No. 39 179
Asked leave to withdraw petition relative to Atchison Ferry 179
Excused from serving on Special Committee 180
Report of, from Committee on House bill No. 89 185
Chairman of Committee on Education, report of, concerning bill to incorporate Kansas Territorial University 193
Report of, on bill to incorporate Wakarusa City Seminary 194
" " " Kansas Female Collegiate Institute 194
" " " Breckenridge College 194
" " " Kansas Collegiate Association 194
Offered resolution that the Engrossing Clerk assist Enrolling Clerk, &c. 217
Report of, from Committee on Judiciary on Council bill No. 66 226
" on act to amend an act to provide for Common Schools 232
" on act to amend an act regulating Territorial Library 232
" on House bill No. 144 247
Moved to lay certain amendments on table 255
Moved that the committee report 256
Appointed on committee in regard to Riley county 256
Report of, " " " " 259
Appointed on Committee to have House resolution and Governor's message printed 261
Report of, on House bill No. 165, to incorporate Haskell College 261
" on Council bill No. 166, to incorporate Centropolis College 262
Nominated A. W. Jones for Attorney 272
Report of, from Select Committee on House bill No. 157 274
Votes for different district officers 272, 273, 274, 278, 279
Moved to take up Council resolution, &c. 295
Offered resolution that the Clerk be directed to furnish Governor a certified list of officers elected 295
Votes for County Commissioners 289, 290, 291
" Bank " 292

COLE, GEORGE A.

Appointed Door-keeper in place of Mr. Jackson, sick 203

CHAIR.

Appointed two tellers, Messrs. Thompson and O'Driscoll 4
Appointed Mr. Martin to conduct Mr. Mathias to chair 6
Permanently occupied by Mr. Mathias 6

Page

CHAIR—*Continued.*

- Appointed committee to wait on Governor and inform him that Legislature was organized ... 9
- Appointed Standing Committees ... 32
- Appointed Committee on Governor's message ... 33
- " Joint Committee on the part of House ... 42
- " Committee on reorganizing Judicial Districts ... 75
- Mr. O'Driscoll called to Chair ... 93
- Mr. Walker " " ... 95
- Decided that a certain bill was in order ... 139
- Question—shall the Chair be sustained? ... 139
- Mr. Tebbs in the Chair ... 146
- Presented annual report of Auditor of Public Accounts ... 153
- Mr. Anderson in Chair ... 156, 203
- Mr. Waterson " ... 180
- Appointed Mr. Cole Door-keeper ... 203
- Received thanks of House, &c. ... 297

CRAMER, THOS. J. B.

- Treasurer—report of ... 144

D

DAVIS, J.

- Representative from Linn county ... 3
- Presented his credentials of election and sworn in ... 3
- Appointed on Committee on Bounds of Counties and Districts ... 32
- Introduced bill to incorporate Carolina Town Company ... 202
- Votes for different district officers ... 272, 273, 274, 278, 279
- Voter for County Commissioners ... 289, 291, 292
- " Bank Commissioners ... 292

DOLMAN, CYRUS.

- Representative from Nemaha county ... 3
- Presented his credentials of election and sworn in ... 3
- Appointed on Committee on Education ... 32
- Moved that the Journal be printed and laid on members' desks ... 35
- Introduced a bill repealing an act supplemental to "An act to provide for the collection of the revenue" ... 48
- Gave notice of introduction of bill for charter of Missouri River and Nemaha
- Introduced bill for Territorial Road from Richmond to Lecompton City ... 51
- Valley Railroad Company ... 51, 93
- Introduced bill to incorporate Lodiana Town Company ... 117
- " to establish Territorial Road from Lecompton to Richmond ... 134
- Moved to take up certain act ... 136
- Appointed on Committee on bill to incorporate M. R. & N. V. R. R. C. ... 152
- Moved to suspend rules in order to make report ... 173
- Report of, from Special Committee ... 174
- Introduced bill to incorporate Delaware and Lecompton Railroad ... 196
- Votes for different district officers ... 272, 273, 274, 278, 279
- Elected Probate Judge of Nemaha county ... 290
- Vote for County Commissioners ... 289, 290, 291
- Vote for Bank Commissioners ... 292
- Appointed on committee on act to relocate county seat of Douglas ... 297
- Moved to take up Rossport Life and Fire Insurance Company ... 301

Page

DOOR-KEEPER.

H. J. Jackson elected and sworn in 9
Duncan elected Commissioner of Marshall county 291

F.

FRANKLIN, MR.

Elected Commissioner of Leavenworth county 289

FLEMING, D. G.

Elected Assistant Clerk 7

FOX, JAMES P.

Representative of Lykins and Linn counties 3
Presented credentials and sworn in 3
Nominated B. F. Brantley for Chief Clerk 6
Moved to amend resolution requesting Secretary of Territory to furnish desks, &c. 27
Appointed on Committees, on Roads and Highways and on Militia 32
Presented a petition from sundry citizens of Linn county 33
Introduced bill to locate county seat of Linn permanently 37
Appointed one of Special Committee, &c. 37
Report of, on House bill No. 7 42
Moved to suspend rules and read certain bill second time 45
Appointed one of Special Committee on public printing 49
Introduced bills to locate road from Lecompton to Barnesville, and locate road
from Council City to Columbus 51
Moved to increase Special Committee on Banks; added to Committee 56
Report of, being chairman of Committee of the Whole House 95
Presented minority report of Committee on Banks 98
Appointed on Special Committee to examine Journal 138
Introduced bill to establish road from Big Spring to Council Grove 138
" " amendatory to act concerning dram shops 148
" " to incorporate Agnes City 148
Moved to lay Mr. Anderson's substitute on the table 188
" " Mr. O'Driscoll's resolution " " 189
" " Kansas Valley Bank bill " " 190
" " Resolutions " " 218
Introduced bills to incorporate Marshall Town Company, and to incorporate
Wanzoppa Town Company 228
Introduced bill to establish Territorial Road from Ossawattamie to Paris 232
Moved to postpone bill in relation to school lands 236
Appointed one of Committee on Mr. Garrett's resignation 259
Vote for different district officers 272, 273, 274, 278, 279
Vote for County Commissioners 289, 290
" " Bank " 292

FAIN, JOEL R.

Representative from Anderson county 3
Presented credentials and sworn in 3
Appointed on Committee on Roads and Highways 32
Introduced bill to legalize acts of Commissioners of Anderson county 40
" " to incorporate Pierce Town Company 46
" " " Town of Shannon 46
Report of, in majority of Committee on Roads and Highways 164
Votes for different district officers 272, 273, 274, 278, 279

Page

FAIN, JOEL R.—*Continued.*

- Votes for County Commissioners 289, 290
- Votes for Bank Commissioners 292

G

GARRETT, RUSSELL.

- Representative from Riley county 3
- Presented his credentials and sworn in 3
- Appointed on Committee on Public Buildings 32
- Introduced bill to incorporate Town Association of Manhattan 57
- " " " City of Manhattan 57
- " " " Manhattan Institute 57
- Moved to suspend rules 57
- Gave notice of the introduction of bill to locate Territorial Road from St. Mary's Mission to Fort Riley 57
- Introduced bill to provide for county seat of Davis county 231
- " to incorporate Hamilton Town Company 231
- " to provide for the location of county seat of Riley county 231
- Offered amendment to certain bill 256
- Moved to suspend rules, &c. 256
- Moved to refer portion of bill in regard to Riley county to committee 256
- Appointed one of Special Committee 256
- Tendered his resignation as a member of House 259

GARVIN, JAMES.

- Representative from Douglas county 3
- Presented his credentials and sworn in 3
- Nominated Charles McCord for Assistant Clerk 7
- Nominated J. S. Hamilton for Door-keeper 8
- " E. M. Morgan, of Douglas county, for Engrossing Clerk 25
- Appointed on Committee on Public Buildings 32
- Nominated Mr. Christian, of Douglas, for Bank Director 291
- Votes for different county officers 272, 273, 274, 278, 279
- " County Commissioners 289, 290, 291
- " Bank " 292

GODARD, E.

- Elected Sheriff of Breckenridge county 274

GILLESPIE, G. W.

- Elected Commissioner of Potawattamie county 291

GLOVER, P. F.

- County Commissioner for Linn 279

GRIMES, M. C.

- Sheriff of Coffey county 279

H

HARRIS, MR.

- Elected Commissioner of Nemaha county 290

HITE, ISRAEL L.

- Elected Commissioner of Calhoun county 290

Page

HASCALL, J. S.

Elected Probate Judge of Atchison county......280

HUMPHREY, N.

Elected Commissioner for Breckenridge county......279

HOOLE, A. G.

County Commissioner for Douglas......279

J

JOHNSON, D. J.

Representative from Leavenworth county......3
Presented credentials and sworn in......3
On motion of, Mr. Mathias was unanimously declared Speaker......7
Nominated G. W. Purkins for Chief Clerk......7
Appointed on following Committees:
..........On Federal Relations......32
..........On Judiciary and Criminal Jurisprudence......32
..........On Internal Improvements......32
..........On Governor's Message......33
Excused from serving on Special Committee......33
Appointed one of committee to examine Book of Forms......34
Report of, from Committee on Judiciary and Criminal Jurisprudence......44
Gave notice of introduction of bill to establish Ferry on Kansas river......48
Report of, from Committee on Judiciary, &c......60
" " " "......68
" " " "......68
" " " "......68
Appointed on Committee to reorganize Judicial Districts......75
Report of, from Committee on Judiciary, &c......76
Moved that report in regard to office of Sheriff in Douglas county be made the order for the evening session......83
Introduced bill to incorporate City of Topeka......87
Report of, from Committee on Judiciary on Council bill No. 4......93
" " " " on Council bill No. 9......93
" " " " on Council bill No. 52......96
Presented petition from T. K. Shepherdson for relief......100
Introduced bill to incorporate Leavenworth Fire and Marine Insurance Company......112
Report of, from Committee on Judiciary, &c., on Council bill No. 18......116
Gave notice of introduction of bill to charter the American Bank......120
Report of, from Committee on Judiciary on Council bill No. 5......120
Moved to lay certain bill upon table......122
Report of, from Committee on Judiciary on Council bill No. 17......131
" " " " on Council bill No. 24......131
" " " " on Council bill No. 70......132
" " " " on Council bill No. 27......132
" " " " on Council bill No. 69......132
" " " " on Council bill No. 21......132
" " " " on Council bill No. 67......133
Introduced bill to incorporate Central Railroad Company......139
" " Drover's Bank at Leavenworth......139
" " Bank of America at Leavenworth......139
Moved a point of order......139

Page

JOHNSON, D. J.—*Continued.*
Appealed from decision of Chair........139
Moved call of House........146
Moved to postpone consideration of certain bill........157
Introduced a bill to incorporate Franklin Town Company........171
Moved substitute........179
Report of, from Committee on Judiciary........182
“ “ “ on Council bill No. 213........183
“ “ “ on Council bill No. 76........183
“ “ “ on Council bill No. 88........183
Moved to lay resolution on table........187
Report of, from Committee on Judiciary........197
Moved to take up report on Militia........203
Report of, from Committee on Judiciary on Council bill No. 126........223
“ “ “ “ on Council bill No. 106........223
“ “ “ “ repeal part of sec. 28 art. 6, chap. 129........224
“ “ “ “ on Council bill No. 92........224
“ “ “ “ on Council bill No. 54........225
“ “ “ “ on Council bill No. 131........225
“ “ “ “ on Council bill No. 42........225
“ “ “ “ on Council bill No. 90........225
“ “ “ “ on Council bill No. 53........226
Report of, on act to amend an act concerning executions........224
Reports of, from Committee on Judiciary, &c........226
Introduced bill in behalf of Committee on Judiciary, &c........229
Appointed one of Committee on Mr. Garrett's resignation........259
Report of, from Committee on Judiciary on House bill No. 125........281
“ “ “ “ on Council bill No. 183........281
Nominated Wm. Franklin for Commissioner........289
Moved to reconsider the manner of voting, &c........292
Report of, from Committee on Judiciary on Council bill 208........294
“ “ “ “ on House bill No. 142........295
“ “ “ “ on House bill No. 121........297
Report of, from Committee on Judiciary, &c........301
Votes of, for different district officers........272, 273, 274, 278, 279
Votes for County Commissioners........289, 290, 291
“ Bank “........292

JENKINS, W. H.
Representative from Marshall county........3
Presented his credentials of election........3
Nominated D. G. Fleming for Assistant Clerk........7
Appointed one of committee to wait on Governor, &c........9
Moved to lay amendment on table........24
Nominated Mr. Westbrook for Engrossing Clerk........25
Offered resolution that the House tender the use of their hall to the Law and Order Convention........26
Moved to lay bill on table........30
Moved to suspend rules and elect Chaplain........31
Appointed on following Committees:
On Federal Relations........32
On Judiciary and Criminal Jurisprudence........32
On Internal Improvements........32
On Bounds of Counties and Districts........32
On Militia........32

Page

JENKINS, W. H.—*Continued*.

Gave notice of introduction of a bill to provide for digest of the Civil and Criminal Code of Jurisprudence 33
Also a bill to construct a road along Big Blue river from Manhattan to the Nebraska line 33
Also a bill to incorporate Town of Palmetto 33
Appointed on Committee to examine Book of Forms 34
Moved to amend Mr. Simmons' resolution 35
Moved another amendment 35
Moved that resolution be adopted 40
Introduced a bill for the building of a court house and jail for Marshall county 51
On motion of, report of Federal Committee received 66
Moved amendment to bill 70
Appointed on Committee to correspond with Legislatures of Nebraska and Texas 76
Offered resolution that minority and majority reports of Committee on Banks be printed 99
Report of, from Committee on Judiciary, &c. 143
Report of, from Committee on Internal Improvements 149
Gave notice of the introduction of the following bills:
  A bill to amend and better define the jurisdiction of Probate Courts 152
  " to provide for punishment of persons committing offences against Railroad Companies 152
Was excused from service on Militia Committee 153
Report of, from Committee on Internal Improvements on Council bill No. 35 167
" " " " on Council bill No. 85 167
Moved to choose committee on Mr. Brantley's motion 179
Moved to suspend rules and take up report on Banks 181
Report of, from Committee on Internal Improvements on Council bill No. 30 184
" " " " on Council bill No. 33 184
Report of, on House bill No. 87 191
" from Committee on Internal Improvement on Council bill No. 32 199
" " " " " on Council bill No. 107 200
" " " " " on Council bill No. 114 200
Report of, from Committee on Internal Improvements on act to incorporate Kansas and Missouri Railroad Company 206
Report of, on bill to incorporate Mine Hill Railroad and Mining Company 206
Introduced bill to incorporate Aurora Town Company 229
Report of, on Council bill No. 34 230
Report of, on Executive Message 271
" on Council bill No. 147 276
" on sundry bills of railroad projects 276
Nominated C. B. Bruce for Probate Judge and L. M. Duncan for Commissioner for Marshall county, Robert Wilson for Probate Judge, Charles Jenkins and G. W. Gillespie for Commissioners, and Lewis Wilson for Sheriff of Pottawatamie 291
Moved to dissolve joint session 292
Vote for different district officers 272, 273, 274, 278
" County Commissioners 289, 290
" Bank " 292

JENKINS, CHAS.

Elected Commissioner for Pottawatamie county 291

K

Page

KIRK, RICHARD L.
Representative from Atchison county 3
Presented credentials and sworn in 3
Moved amendment 24
Moved to lay resolution on table 31
Appointed on Committee on Corporations 32
“ “ on Bounds of Counties and Districts 32
Gave notice of introduction of bills to locate Territorial Road from Atchison to Vermillion City, and a road from Atchison to Doniphan 46
Gave notice of introduction of bill to incorporate America Town Company 48
“ “ “ “ Vermillion City Town Company 48
Introduced bill to incorporate America Town Company 51
Gave notice of introduction of bill to incorporate Eureka Town Company 51
Introduced petition of sundry citizens of Atchison for Ferry 54
Report of, on House bill, to provide for removal of county seats 68
Moved to suspend rules 73
Report of, on House bill No. 32 74
Introduced bill to incorporate Atchison and Vermillion City Railroad Company 113
“ “ “ Woodson Town Company 117
Moved that certain bill be rejected 121
Offered resolution 138
Gave notice of introduction of bill to incorporate Greenwood Town Company 139
Nominated T. M. Crowder for Superintendent of Public Printing 141
Moved that further proceedings under call be dispensed with 147
Moved to take up bill to incorporate Mount Pleasant Town Company 151
Report of, on House bill No. 16 156
Moved that majority report of Committee on Roads be agreed to 162
Moved to take up report of Committee on Judiciary 181
Moved to lay bill on table 188
Report of, on Council bill 130 201
“ on boundaries of Davis and Coffey counties 201
Introduced bill to incorporate Atchison Mill Company 231
“ petitions of citizens of Atchison and Doniphan counties for roads 246
Moved to recommit certain bill to Committee on Judiciary 253
Report of, on Council bill No. 108 261
“ on bill to relocate county seat of Douglas 261
“ on Council bill No. 120 262
“ on Council bill No. 134 266
“ on Council bill No. 122 266
Report of an act to attach certain territory to Madison county 269
“ “ to define the boundaries of different counties, &c. 269
Presented a petition proposing Isaac C. Hascall as Probate Judge of Atchison 274
Votes for different district officers 272, 273, 276, 278, 279
“ County Commissioners 290, 291
“ Bank “ 292

KUYKENDALL, JAMES.
Representative from Calhoun county 3
Presented credentials and sworn in 3
Was nominated by Mr. Tebbs for Speaker 4
Nominated W. W. Cook for Door-keeper 8
Appointed one of Committee on Rules 27

Page

KUYKENDALL, JAMES—*Continued.*

Appointed on Committee on Finance 32
“ “ on Elections 32
“ “ on Roads and Highways 32
“ “ on Governor's Message 33
Report of, from Committee on Roads 44
“ “ “ “ on House bill No. 8 45
“ “ “ “ on House bill No. 1 45
Gave notice of bill to define duties of Commissioners' Courts, &c. 47
“ “ appointing Commissioners to locate county seat of Johnson 47
“ “ chartering Ferry at Calhoun 47
Gave notice of introduction of bill to incorporate Kansas River Steamboat Company; also, to incorporate bank at Lecompton 51
Report of, from Committee on Roads, &c., on House bill No. 3 68
“ “ “ “ on House bill No. 37 68
“ “ “ “ “ “ 69
Introduced bill declaring Francis Ravilett a minor, of age, &c. 71
Report of, from Committee on Roads, &c. on House bill No. 40 82
“ “ “ “ to authorize Hugh Cameron to keep Ferry 82
Report of, from Committee on Roads, &c., on House bill No. 34 82
“ “ “ “ on House bill No. 43 83
“ “ “ “ on House bill No. 37 83
“ “ “ “ “ “ 83
“ to locate road from Fail's store to Cofachique 84
“ to establish road from Wyandott to Missouri state line 84
“ “ from Doniphan to Kansas and Nebraska line 84
“ on House bill No. 46 84
“ on bill to establish road from Lecompton to Barnesville 85
“ on bill No. 45 85
“ on bill No. 49 85
“ on House bill No. 54 89
Introduced bill to incorporate the Bank of Lecompton 91
Report of, from Committee on Roads on bill No. 39 104
“ “ “ on act to provide for location of roads, &c. 106
Introduced bill to establish a bank in Kansas 114
Report of, from Committee on Roads to authorize W. F. and G. M. Dyer to establish a Bridge, &c. 128
Report of, from Committee on Roads on Council bill No. 70 133
“ “ “ “ on Council bill No. 80 134
“ “ “ “ on Council bill No. 16 134
“ “ “ “ on Council bill No. 19 134
“ “ “ “ on Council bill No. 50 134
“ “ “ “ on Council bill No. 82 137
“ “ “ “ on Council bill No. 59 142
“ “ “ “ on Council bill No. 81 143
“ “ “ “ on Council bill to incorporate St. George Bridge Company 143
Report of, from Committee on Roads, on House bill No. 44 159
“ “ “ “ on bill to establish road from Lecompton to Richmond 159
Report of, from Committee on Roads on bill to incorporate Topeka Bridge Company 159
Report of, from Committee on Roads, on bill to establish road from Big Springs to Council Grove 159

Page

KUYKENDALL, JAMES—*Continued.*

Offered minority report on petition to charter Ferry at Atchison 160
Appointed on Committee on Mr. Brantly's motion 179
Introduced a bill defining boundaries of Coffey county 179
Report of, on Council bill No. 95 182
" on House bill No. 75 182
" on House bill No. 88 184
" on House bill No. 77 184
" on Council bill No. 155 184
" on Council bill No. 109 184
" on Council bill No. 106 185
" on House bill No. 3 185
" on House bill No. 42 185
" on Council bill No. 102 195
Introduced bill to authorize erection of Bridge over Grasshopper creek 196
Report of, from Committee on bill to establish road from Paola to Fort Scott 206
Appointed one of Committee on certain bill 213
Report of, from Committee on petitions Nos. 151 and 156 247
" " " on Council bill No. 144 247
" " " on Council bill No. 48 248
" " " on House bill to establish road 248
" " " to locate road from Palermo to Claytonsville 248
" " " on bill to establish Ferry at Palermo 249
" " " on bill to extend time granted to James Findlay, &c. 249
" " " on bill to establish road from Wyandott to Atchison 250
" " " " " " Ossawattamie to Paris 250
" " " on Council bill No. 141 250
" " " on bill to establish road from Leavenworth to Peoria 250
" " " to establish Ferry, &c. 250
" " " on bill to establish Ferry at Parrish's landing 261
" " " on House bill No. 119 261
" " " on bill incorporating Nebraska, Kansas and Gulf Railroad Company 261
Report of, from Committee on bill to establish road from Shannon to Hampden 268
" " " on bill to establish road from Lecompton to Fox and Sac Agency 268
Report of, from Committee on Roads on bill to establish road from Atchison to Lecompton 269
Nominated L. McArthur for Attorney 272
Votes for different district officers 272, 273, 274, 278, 279
" County Commissioners 289, 290
" Bank Commissioners 292
Nominated Israel L. Hite for Commissioner of Calhoun county 290

L

LAWS, ALFRED.

Representative from Allen county 3
Presented credentials and sworn in 3
Appointed on Committee on Agriculture 32
Moved adjournment 218
Nominated O. C. Stewart, of Douglas 291

LAKE, SAMUEL.

Elected Commissioner for County of Coffey 280

Page

LILLY, S. N.

Elected Commissioner for Riley county 291

M

MATHIAS, W. G.

Representative from Leavenworth county 3
Presented credentials and sworn in 3
Announced that nominations were in order for Speaker *pro tem* 6
Elected Speaker 6
Announced Committee on Governor's Message 33
“ “ Joint Committee on part of House 42
“ “ Committee for reorganizing Judicial Districts 75
Introduced bill to incorporate Leavenworth Town Association 93
Offered amendment 156
Moved to refer bill to Select Committee 156
Called House to order 281

MARTIN, J. W.

Representative from Leavenworth county 3
Presented credentials and sworn in 3
Vote for Speaker 6
Conducted Mr. Mathias to Chair 6
Vote for Clerk 7
“ Assistant Clerk 7
“ Sergeant-at-Arms 8
“ Door-keeper 8
“ Enrolling Clerk 26
Offered resolution to go into joint session to elect Superintendent of Public Printing 26
Vote for Public Printer 28
Appointed on Committee on Education 32
“ “ on Militia 32
Vote on adoption of report of Finance Committee 42
Introduced bill to incorporate Farmers' and Mechanics' Bank at Leavenworth 71
“ act supplemental to act to grant pre-emptions to school lands, &c. 88
Report of, from Committee on Militia 91
Introduced bill to provide for the election of officers of militia 153
“ bill to incorporate Kickapoo and Gulf Railroad Company 138
“ “ “ Kansas Territorial Institute 153
“ “ to locate permanently county seat of Leavenworth 170
Vote for Superintendent of Public Printing 141
Moved to adjourn 188
Report from Special Committee 198
Report of, from Committee on Militia 204
Moved to postpone bill to establish Ferry at Quindaro 209
Presented a petition 215
Introduced bill to incorporate Spartinsburg Town Company 220
“ “ to appoint Codifier of Statutes of Kansas 231
“ “ to relocate county seat of Riley county 232
Moved to lay amendment on table 264
Vote for district officers 272, 273, 276, 278, 279
Moved to postpone bill to incorporate Roseport Insurance Company 276
Special Committee appointed on 276

Page

MARTIN, J. W.—*Continued.*

Report of, from Committee on Militia ... 229
" " " on Council bill No. 157 ... 287
Nominated Joel Hite for Commissioner of Leavenworth county ... 289
Appointed on Special Committee ... 299
Report of ... 300
Vote for County Commissioners ... 289, 291
" " Bank ... " ... 292

McKINNEY, CHARLES.

Representative from Shawnee county ... 3
Presented credentials and sworn in ... 3
Vote for Speaker ... 6
Appointed on Committee on Education ... 32
" " on Accounts ... 33
" " on Select Committee on act to incorporate Lawrence Bridge Company ... 265
Vote for district officers ... 272, 273, 274, 278, 279
Vote for County Commissioners ... 289, 291
" " Bank ... " ... 292

MESSAGES.

Message from Council through hands of Chief Clerk ... 5
" Governor through hands of his Private Secretary ... 10
" Council announcing concurrent resolution ... 25
" " through hands of Mr. Grover ... 28
" " announcing joint resolution ... 34
" " " that it has passed act to authorize courts and judges to admit to bail, &c. ... 35
Message from Council by Mr. Grover ... 37
" " through Mr. Reese ... 40
" " concurring with resolution of House ... 42
" " through Mr. Grover ... 43
" " announcing that they had passed an act to amend "An act to provide for recovery of debts," &c. ... 47
An act to incorporate Leavenworth Lyceum ... 47
And other bills ... 47
Message from Council announcing that they have concurred in amendment to Council bill establishing office of Superintendent of Public Printing ... 55
Message from Governor transmitting reports, &c. ... 55
" " in answer to resolution of 19th instant ... 59
Message from Council announcing that they have passed act incorporating Lecompton Improvement Association ... 70
Also other bills ... 70
Message from Council that they have passed bill defining Judicial Districts of Kansas ... 72
Message from Council announcing introduction of bill incorporating Powhattan Town Company ... 72
Also other bills ... 72
Message from Council announcing introduction of bill in relation to public roads ... 86
And a bill to declare a Military road a public highway ... 86
And that they have passed bill to establish road from Kickapoo to Topeka ... 86
Also other bills ... 86
Message from Council that they have passed act to punish horse stealing ... 88

Page

MESSAGES—*Continued.*

Also other bills 88
Announcing introduction of bill regulating suits and other bills 88
" Council that they had passed House bill to incorporate the Leavenworth Town Association 94
Message from Council that they have passed bill respecting challenge of jurors 99
Also other bills 99
Message from Governor vetoing Council bill 100
" Governor 104
" Council that they have passed bills to incorporate Leavenworth Town Association and City of Roseport 106
Message from Council that President has signed bill to locate county seat of Linn 107
" " " " Council bill authorizing Mary Elizabeth Spratt to sue for a divorce, and incorporating Iowa Point Town Company 107
Message from Governor by his Private Secretary 108
" Council requesting all records, papers, &c., concerning official acts of Wm. T. Sherrard 108
Message from Council that they had passed an act to incorporate the Geneva Town Company 110
Also other bills 111
Message from the Governor's 112
" " 113
Message from Council announcing that they had passed an act to amend an act to regulate the limitation of actions 117
Also other bills 117
Message from Council returning Council bill to incorporate Leavenworth Lyceum 121
Message from Council that they have passed bill to incorporate St. George Town Company 125
Also other bills 125
Message from Council announcing passage of bill No. 27 130
" " " " " No. 30 130
" " " " " No. 34 130
" " " " " No. 10 130
" " " " " No. 49 130
" " " " " No. 47 130
" " that they concurred in the resolution to go into joint session to elect Superintendent of Public Printing 137
Message from Council that they will most cheerfully return House bills, &c. 139
" " that they have passed bill to establish road from Atchison to Vermillion City; also other bills 140
Message from Council informing House that they have passed House bill No. 51 150
Also Council bill to incorporate the Leavenworth, Pawnee and Weston Railroad Company 150
Also many other bills 151
Message from Council informing House that they have passed bill for relief of Luther M. Carter and Tecumseh Town Association 152
Message from Council that they have passed House bill No. 91 157
" " " " " " No. 88 157
" " " " " " No. 90 157
And that President of Council has signed House bill repealing 12th section of act to punish offences against slave property 157
Also act incorporating Missouri River and Rocky Mountain Railroad Company 157
Also many other bills 158

Page

MESSAGES—*Continued.*

Message from Council that the President of Council had signed sundry bills..........160
Message from Council that they have passed act to provide for location of Territorial Roads..........162
Message from His Excellency, the Governor..........165
" Council that they have passed sundry bills..........167
" " concurring in section 4, as amendment to Council bill..........173
" " that they have passed sundry bills..........177
" " agreeing to House amendment to Council bill..........183
" " that they have passed bill incorporating the St. Bernard Town Company..........183
Message from Council that President of Council had signed sundry bills..........187
" " *informing House of joint resolution*..........188
" " that they had passed sundry bills..........192
Message from Council that it had passed bill incorporating Nebraska, Kansas and Gulf Railroad Company..........195
Message from Council that it had passed sundry House bills..........198
" " that it had passed resolution requesting House to return to Council bill to incorporate Neoma Town Association..........199
Message from Council that they had passed sundry bills..........208
" " " " " "..........216
" " that President had signed sundry bills..........217
" " that they had passed sundry bills..........220
" " that President had signed sundry bills..........224
Message from Governor..........233
Message from Council that they had passed sundry bills..........232
" " " " " " "..........242
" " that President of Council has signed sundry bills..........245
" " " " " "..........252
" " that it had agreed to House amendment of sundry Council bills..........257
Message from Governor..........260
Message from Council that President of Council had signed sundry bills..........262
" " announcing passage of sundry joint resolutions..........263
Message from Governor by Private Secretary..........267
" " " "..........268
Message from Council that they had passed census bill notwithstanding the Governor's veto..........276
Message from Council that they had passed sundry bills..........277
" " that *President of Council* had signed sundry bills..........278
" " that Council had amended and passed sundry House bills..........281
" " that Council had passed sundry bills..........282
" " requesting House to return the bill reorganizing Probate Courts, &c...........282
Message from Council that President of Council had signed sundry bills..........285
" " that Council had passed substitute for certain House bill..........287
" " that President had signed sundry Council bills..........288
" " that President had signed sundry House bills..........293
" " that they had passed sundry bills..........242
" " that Council had passed sundry Council bills..........293
" " " " " House "..........293
" " that the President had signed sundry Council bills..........294
" " informing House of passage of resolution concerning printing of "act to incorporate Kansas Valley Bank"..........294
Message from Council that Council had passed sundry House bills..........297

Page

MESSAGES—*Continued.*

Message from Council that President of Council had passed sundry House bills....298
" " that Council had passed bill to incorporate Palermo Insurance Company....299
Message from Council that President had signed several Council bills....302
" " " " " " House "....303
Message from Governor....303
" Council by Mr. Grover, Assistant Clerk....305
Message from Governor....305
Message from Council by Mr. Marshall....305
" " Council by Mr. Eastin....306

MEMBERS OF LEGISLATURE.

Appeared and sworn in by Hon. S. G. Cato....3

MOTIONS.

On motion of Mr. Thompson House proceeded to vote by ballot for Speaker....4
" " " Chair appointed two tellers....4
" " Brown House adjourned....5
" " Johnson, Mr. Mathias was declared unanimously elected....6
" " Anderson, Mr. Tebbs was unanimously elected Speaker *pro tem.*
" " Thompson, the election of Clerks was *viva voce*....7
" " Waterson, House proceeded to election of Assistant Clerk....7
" " Thompson, proceeded to election of Sergeant-at-Arms....7
" " Anderson, House appointed committee to wait on Governor, &c....9
" " " Hall of House was tendered to Convention about to assemble....9
On motion of Mr. Anderson, rules of last House adopted for government of this body....9
On motion of Mr. Simmons, reading of Journal deferred....9
" " Anderson, Governor's Message was received and ordered to be read....10
On motion of Mr. Walker, moved to print 1200 copies of message....24
" " O'Driscoll, moved amendment....24
" " Anderson, rules suspended....25
On motion, B. F. Brantley unanimously elected Enrolling Clerk....25
" Messrs. Brantley and O'Driscoll appointed Committee on Printing....26
" rules suspended....27
" resolution amended....27
" reporter of Leavenworth Journal admitted to seat within the Bar....27
" House had recess for five minutes....27
" Council was informed that the House was ready to go into joint session....28
On motion, rules suspended....28
" election of Public Printer conducted *viva voce*....28
" joint session dissolved....29
" Hall was tendered to Convention, &c....29
" rules suspended....30
" bill was laid on table....30
" House went into election for Chaplain....31
" Rev. J. G. Rice was declared unanimously elected....31
" Ex-Governor Ransom and other distinguished gentlemen invited within the Bar....31
On motion, reading of Journal deferred until to-morrow....32
" rules were suspended to introduce sundry bills....33

Page

MOTIONS—*Continued.*

On motion, Governor's Message was referred to committee of five 33
" rules were suspended to introduce sundry bills 34
" House adjourned 34
" it was ordered to have Journal printed and laid on members' desks 35
" rules suspended 35
" House adjourned 35
" permission granted Mr. Young to introduce bill 37
" bill read second time 37
" rule for printing bills not applicable to certain bills 39
" joint resolution taken up 40
" Mr. Jenkins moved that the resolution be adopted 40
" Council bill to establish office of Superintendent of Public Printing taken up 41
On motion, the Hall was tendered to the Rev. Mr. Callaway for service 41
" House adjourned 41
" rules suspended in order to introduce sundry bills 43
" rules suspended in order to read sundry bills 44
" Mr. Browne, certain bill referred to Committee on Accounts 45
" certain bill recommitted to Committee on Corporations 46
" rules suspended to allow Mr. Anderson to introduce bill 47
" rules suspended in order to take up instructions to Committee on Judiciary 49
On motion, rules suspended in order to allow Mr. Brantley's report 49
" a Special Committee of five was appointed on public printing 49
" bill incorporating City of Roseport not to be printed 53
" all bills of corporation hereunto read, hereby ordered not to be printed 53
On motion, regular business suspended and concurrent resolution of Council taken up 53
On motion, vote on certain bill reconsidered 54
" rules suspended and Mr. Waterson introduced a bill 55
" committee ordered to discontinue printing of Journal if not done in time 55
On motion, Special Committee on Banks increased 56
" rules suspended in order to read certain bills 56
" Governor's Message referred to Committee on Judiciary 60
" rules suspended and Mr. Simmons made report 60
" Committee on Federal Relations made report 61
" report received 66
" resolution as amended, adopted 70
" report of Committee on Corporations taken up 71
" rules suspended in order to introduce certain bills 71
" Mr. Simmons' resolution was referred to Special Committee 71
" bill as amended read and ordered to be engrossed 73
" House resolved itself into Committee of the Whole 76
" House adjourned 79
" House resolved itself into Committee of the Whole on Federal Relations 86
On motion, certain bill read third time and passed 87
" rules suspended and bill introduced 94
" Council bill to define Judicial Districts of Kansas, taken up 94
" Call of House made 95
" House went into Committee of the Whole 95

Page

MOTIONS—*Continued.*

On motion, the printing of certain bills dispensed with 95
" certain act, with Governor's Message, taken up 100
" report of Judiciary Committee was read 103
" report of Committee on Federal Relations 105
" amendment made to Mr. O'Driscoll's amendment 106
" report of Committee on Roads and Highways agreed to 107
" bill to incorporate Missouri River and Rocky Mountain R. R. Company taken up 110
On motion, bill read third time 110
" certain bill taken up and read second time 111
" House bill No. 16 taken up 111
" bill ordered to be printed 112
" bill to incorporate Missouri and Kansas Railroad Company taken up 112
" bill to incorporate Mine Hill Railroad and Mining Company taken up 113
" printing dispensed with 117
" bill to borrow money referred to Committee on Banks 122
" call of House was made 123
" regular order of business dispensed with and Council bills taken up 125
" a certain bill laid on table 129
" vote on the rejection of bill to incorporate Leavenworth Lyceum reconsidered 129
On motion, House adjourned 129
" rules suspended and bills with amendments read 132
" Clerk requested Council to return bill to incorporate Leavenworth Lyceum 139
On motion, vote of approval of Journal reconsidered 139
" bill taken up 139
Mr. Johnson moved to a point of order 139
On motion, petition referred to Committee on Bounds of Districts 141
" bills passed yesterday sent over to Council 146
" call made of House 146
" House resolved itself into Committee of the Whole 147
" certain bill taken up and read third time 148
" amendment made by way of rider 149
" rules suspended and amendment read a third time 149
" report and bill referred to Select Committee 150
" bill for relief of Collectors of Revenue taken up 151
" act to incorporate Town of Mount Pleasant, taken up 151
" bill incorporating Missouri River and Nemaha Railroad referred to Select Committee 152
On motion, bill recommitted to Committee on Bounds of Counties and Districts 153
" vote on passage of bill redistricting the Territory reconsidered 153
" Clerk requested Council to return bills Nos. 14, 3 and 7 153
" House adjourned 153
" rules suspended 155
" majority report of Committee on Roads agreed to 162
" report of Committee on Banks ordered to be printed 164
" House adjourned 158
" report of Committee on Judiciary ordered to be printed 164
" House adjourned 172
" rules suspended in order to receive Mr. Dolman's report 173
" rules of House were changed 175
" rules suspended and bills read third time 176

Page

MOTIONS—*Continued.*

On motion, call of House made 176
“ bill respecting oaths referred to committee of five 179
“ roll called and the five members receiving highest number of votes elected 179
On motion, Special Committee excused 180
“ vote reconsidered 180
“ House resolved itself into Committee of the Whole 180
“ reports on Banks taken up 181
“ majority report agreed to 181
“ report of Committee on Judiciary be taken up 181
“ report of Committee on Finance taken up 181
“ report was agreed to 181
“ clause struck out of Council bill No. 88 183
“ resolution laid on table 189
“ amendment made to 6th section of bill 190
“ rules suspended, amendment read 190
“ rules suspended and read third time 191
“ concurrent resolution in regard to Council bills sent up 195
“ House adjourned 195
“ report on Militia was taken up 203
“ the House resolved itself into Committee of the Whole 203
“ the main question was ordered 203
“ House bill with Council amendment taken up 207
“ rules suspended and amendment read third time 207
“ substitute was laid on the table 207
“ certain bill referred to Select Committee 213
“ Speaker of House appointed sufficient number of Enrolling Clerks 227
On motion, in the list of corporators of Laurel Hill Cemetery the name of R. L. Johnson was erased and John Donaldson inserted 236
On motion, J. C. Thompson and S. J. Jones were added 236
Moved to reconsider vote postponing consideration of bill incorporating Kansas Navigation Company 236
On motion, call of House made 242
“ further call of House dispensed with 242
“ question was laid over until to-morrow 243
“ House bill No. 145 was considered 246
“ the vote of rejection of House bill reconsidered 253
“ bill to organize probate courts and define their jurisdiction, taken up 254
“ Mr. Stout's amendment was struck out 254
“ rules were suspended and bill as amended read 254
“ of Mr. Browne, section 6 was amended and sections 14, 15, 22, 23, inserted for 13, 14, 23, 24 255
On motion, further reading of bill dispensed with in order to allow Mr. O'Driscoll to make a report 255
On motion, whole matter was laid on table 256
“ of Mr. Garrett, that portion in regard to Riley county referred to Special Committee 256
On motion, committee requested to report next morning 256
“ House adjourned 256
“ amendment to bill defining boundaries of counties laid upon table 259
On motion, Mr. Garrett's resignation referred to Committee, with directions to make official returns of last election the basis of their report—withdrawn 259, 260

Page

MOTIONS—*Continued.*

On motion, 500 copies of House resolution and Governor's answer ordered to be printed 260
On motion of Mr. Carr, the bill was referred to committee of three 260
" bill to charter City of Lawrence referred to Committee on Corporations 264
On motion, amendment to bill prohibiting circulation of paper money of less denomination than three dollars, was laid on table and bill passed 264
On motion, call of House ordered 266
" joint session proceeded to election of officers 271
" " proceeded to vote *viva voce* on call of roll 271
" went into election of officers of Browne county 273
" bill incorporating Roseport Insurance Company referred to committee 276
" joint session was dissolved 281
" House adjourned 281
" Council bill No. 204 was taken up 282
" bill to define more particularly the boundaries of several counties taken up 283
On motion, bill was laid on table 283
" call of House was ordered 285
" further reading of Journal dispensed with 285
" substitute taken up 287
" bill supplemental to one incorporating Leavenworth, Pawnee and Weston Railroad reconsidered 288
On motion, joint session proceeded to elect Bank directors one at a time 291
" manner of voting to elect one at a time reconsidered 292
" joint session proceeded to vote for five persons 292
" " dissolved 292
" sundry Council bills taken up 294
" certain bill was reconsidered 294
" bill to relocate county seat of Douglas, and the reports thereon, referred to Select Committee 297
On motion, House adjourned 299
Mr. Brantley asked leave to withdraw his motion to lay bill on table 301
Mr. Thompson withdrew his motion 302
On motion of Mr. Waterson, bill to allow Governor three days after adjournment of Legislature to sign certain bills was passed 302

O

O'DRISCOLL, B.

Representative from Doniphan county 3
Presented his credentials and sworn in 3
Nominated T. W. Waterson for Speaker 4
Appointed Teller by Chair 4
Offered resolution 6
Offered resolution to elect Speaker *viva voce* 6
Moved to amend Mr. Walker's motion on printing copies of message 24
Vote for Public Printer 28
Appointed on Committee to invite certain gentlemen within Bar of House 32
Appointed on following committees:
  on Federal Relations 32
  on Internal Improvements 32
  on Public Buildings 32

Page

O'DRISCOLL, B.—*Continued.*

Moved to suspend rules and take up bill for the speedy taking of census........40
Offered petition from sundry citizens to locate Territorial Road, &c..........44
" " from sundry citizens to locate road from Marysville to Roseport..44
Gave notice of introduction of bill to establish Land Agency office..........48
Introduced bill to incorporate Roseport Town Company..........48
" " " City of Roseport..........48
" " to charter bank located at Roseport..........48
" " to incorporate Newcastle Coal and General Mining Company....49
" " to incorporate Newcastle Town Company..........51
Moved that bill incorporating City of Roseport be not printed..........53
Introduced bill to incorporate Roseport Insurance Company..........66
Speaker *pro tem.*..........93
Offered several amendments to report of Committee on Federal Relations.....105
Presented petition from sundry citizens of Woodson county..........109
Gave notice of introduction of bill to charter bank at Doniphan..........122
" " " regulating notice of sales under judgment of strays..........122
Introduced act to incorporate Kansas Land Agency Company..........170
" act to establish road from Doniphan to Claytonville..........177
Moved to refer Council bill No. 39 to committee of five..........178
Introduced act to amend act to prevent firing of woods, &c..........179
Offered substitute to Mr. Anderson's resolution..........189
Made report from Committee on Public Buildings..........189
Moved amendment to report of Committee on Banks..........190
Report of, from Committee on Internal Improvements..........200
" " " " "..........215
Moved to refer concurrent resolution of Mr. Anderson to Special Committee...218
Offered resolutions upon death of Maj. Gen. Wm. P. Richardson..........228
Appointed on Committee to organize Probate Courts, &c..........229
Introduced bill to incorporate Valley City Town Company..........231
" " to borrow money for Territorial purposes..........232
" " to incorporate Doniphan Improvement Company..........235
" " " Doniphan Coal Company..........236
Appointed on Committee defining jurisdiction of Probates..........243
Report of, from Committee on Internal Improvements..........248
" from Select Committee on Probate Courts..........252
Moved amendment to section 25..........255
Report of, from Committee on Public Buildings..........255
Offered resolution regarding friendship of the two Houses..........298
Introduced a bill to incorporate Roseport Insurance Company..........299
Votes for different district officers..........273, 274, 278, 279
" County Commissioners..........289, 290
" Bank "..........292

OFFICERS.

Election for officers of House..........7, 8, 9
Election of different district officers..........273, 292

P

PETITIONS.

By Mr. Fox, from sundry citizens of Linn county..........33
By Mr. O'Driscoll, from sundry citizens to locate road, &c..........44

Page

PETITIONS—*Continued.*
By Mr. O'Driscoll, from sundry citizens to locate road from Marysville to Roseport.......44
From sundry citizens protesting against Ferry at Atchison.......50
" " for a road from Atchison to Lecompton.......50
By Mr. Kirk, from citizens for a Ferry at Atchison.......54
By Mr. Butcher, from sundry citizens of Douglas county, &c.......89
" " from citizens of Douglas for change of county seat.......96
By Mr. O'Driscoll, from citizens of Woodson county.......109
By Mr. Johnson, from T. K. Shepherdson, for his relief.......109
By Mr. Stout, from sundry citizens of Doniphan, for change of county seat.......141
Presented by Mr. Martin.......215

PUBLIC PRINTER.
Joint resolution for election of.......26
Elected.......28

PRINTING.
House ordered 2000 copies of Governor's Message to be printed.......24
Committee appointed on printing of message.......26
It was ordered that Journal of House be printed and laid on members' desks every morning.......35
Bill to establish office of Superintendent of Public Printing taken up.......41
Amendment to bill to establish office of Superintendent of Public Printing.......41
Special Committee appointed on Public Printing.......49
On motion, all bills of corporation hereunto read, ordered not to be printed.......53
House instructed committee to discontinue printing of Journal if not done in time and done correctly.......55
Report from Committee on Militia ordered to be printed.......92
On motion, the printing of certain bills dispensed with.......95
" " " " ".......114
" " " " ".......117
Act to incorporate Marysville, Palmetto and Roseport Railroad Company, ordered to be printed.......121
Joint session for election of Superintendent of Public Printing.......141
A. B. Hazzard elected Superintendent of Public Printing.......141
Treasurer's report ordered to be printed.......146
Report of Auditor of Public Accounts ordered to be printed.......153
" Committee on Judiciary ordered to be printed.......164
" Committee on Banks " " ".......164
Mr. Anderson's concurrent resolutions ordered to be printed.......165
Article 5 section 5 of rules in regard to printing, changed.......175
500 additional copies of report of Auditor ordered to be printed.......199
Act for taking census ordered to be printed.......216
500 copies of House resolution and Governor's answer thereto, ordered to be printed.......260
500 copies of "Act to incorporate Kansas Valley Bank" ordered to be printed..294
Resolution authorizing Public Printer to print 1000 copies of Laws of present session.......295

R

RANDALL, M. P.
Member from Johnson county.......5
Presented credentials and sworn in.......5

Page
RANDALL, M. P.—*Continued.*
Vote for Public Printer 28
Appointed on Committee on Internal Improvements 32
Introduced bill to incorporate Kansas Locating Association 43
Moved to suspend rules and read bill second time 43
Appointed on Committee on Banks 56
Vote for Superintendent of Public Printing 141
Vote for different district officers 272, 273, 278
“ County Commissioners 289, 290
“ Bank “ 292

RULES.
Committee on rules appointed 27

REPORTS.
Report of Committee on Rules 29
“ of Committee on Corporations 36
“ of Special Committee on Governor's Message 36
“ of Committee on Finance 41
“ “ “ 43
“ “ on Agriculture 44
“ “ on Judiciary and Criminal Jurisprudence 44
“ “ on Agriculture 44
“ “ on Roads, &c. 44
“ “ “ 45
“ “ “ 45
“ “ on Corporations 45
“ “ “ 46
“ “ on Accounts 49
“ “ on Judiciary, &c. 50
“ “ Corporations 60
“ “ Federal Relations 61
“ “ on Finance 67
“ “ on Roads and Highways 68
“ “ on Judiciary 68
“ “ on Bounds of Districts 68
“ “ on Judiciary 68
“ “ on Roads and Highways 69
“ “ on Corporations 73
“ “ “ 73
“ “ on Judiciary 74
“ “ on Corporations 74
“ “ on Bounds of Districts 74
“ “ on Education 75
“ “ on Corporations 75
“ “ of the Whole House 76
“ “ on Judiciary 76
“ “ on Corporations 81
“ “ on Roads and Highways 82, 83, 84, 85
“ “ of Whole House on Federal Relations 86
“ “ on Corporations 89
“ “ on Roads and Highways 89
“ “ on Corporations 90
“ “ on Engrossed and Enrolled bills 90

Page

REPORTS—*Continued.*

Report of Committee on Enrolled and Engrossed Bills 91
“ “ on Corporations 91
“ “ on Militia 91
“ “ on Judiciary 93
“ “ on Corporations on Council bill No. 6 93
“ “ on Judiciary and Criminal Jurisprudence on Council bill No. 9 93
Report of Committee on Whole House 95
“ “ on Enrolled and Engrossed Bills 96
“ “ on Corporations 96
“ “ on Judiciary 96
“ “ on Agriculture 97
“ “ on Banks 97
“ Minority 98
“ Committee on Corporations 104
“ “ on Roads and Highways 104
“ “ on Federal Relations 105
“ “ on Roads 107
“ “ on Corporations 109
“ “ on Internal Improvements 109
“ “ on Engrossed and Enrolled Bills 109
“ Joint Committee 110
“ Committee on Corporations 110
“ “ on Engrossed and Enrolled Bills 112
“ “ on Engrossed and Enrolled Bills 115
“ “ on Corporations 116
“ “ on Education 116
“ “ on Judiciary and Criminal Jurisprudence 116
“ “ “ “ “ 120
“ “ on Engrossed and Enrolled Bills 123
“ “ “ “ “ 126
“ “ on Finance 127
“ “ on Agriculture 127
“ “ on Corporations 127
“ “ on Bounds of Districts 128
“ “ on Roads and Highways 128
“ “ on Corporations 128
“ “ on Education 129
“ “ on Judiciary 131
“ “ on Roads and Highways 131
“ “ on Agriculture 132
“ “ on Judiciary 132
“ “ on Roads and Highways 133
“ “ “ “ 134
“ “ on Judiciary 135
“ “ on Enrolled and Engrossed Bills 135
“ “ on Corporations 135
“ “ on Corporations 136
“ “ on Roads and Highways 137
“ “ on Corporations 137, 138
“ “ on Council bill No. 84 142
“ “ on Corporations 142
“ “ Enrolled and Engrossed Bills 142
“ “ on Roads and Highways 143

Page

REPORTS—*Continued.*
Report of Treasurer 144
“ Committee of the Whole House 147
“ “ on Finance 147
“ “ on Internal Improvements 150
“ Auditor of Public Accounts 153
“ Committee on Finance 154
“ “ on Corporations 155
“ “ on Agriculture 155
“ “ on Bounds of Districts 156
“ “ on Roads and Highways 159
“ Minority 159
“ Majority 161
“ Committee on Judiciary 163
“ “ on Banks 164
“ “ on Internal Improvements 167
“ “ on Corporations 169
“ “ to examine Journal 170
“ Majority of Special Committee 174
“ Committee on Corporations 175
“ Special Committee 177
“ Committee of Whole House 180
Reports of sundry committees 182, 183
“ “ “ 184, 185
Report of Select Committee 185
“ Committee of Whole House 190
“ “ on Internal Improvements 191
“ “ on Corporations 192
Reports of Committees on Corporations and Education 193
“ “ on Education, Roads and Highways and Banks 195
Report of Committee on Judiciary 197
“ Special Committee 199
“ Committee on Internal Improvements 199
“ sundry committees 200, 201
“ Committee of Whole House 203
“ “ on Militia 204
“ “ on Engrossed and Enrolled Bills 205
“ sundry committees 207
“ Committee on Finance 210
“ “ on Corporations 211
“ “ on Finance 213
“ “ on Enrolled and Engrossed Bills 213
“ sundry committees 223
“ “ “ 224, 225
“ Committee on Militia 229
“ “ on Judiciary 229
“ “ on Bounds of Districts 229
“ “ on Education 232
“ “ on Judiciary 235
“ “ on Federal Relations 236
“ “ on Public Buildings 245
“ Committee on Education 247
“ “ on petitions 151 and 156 247
“ “ on Council bill No. 144 247
“ sundry committees 249, 250, 251

Page

REPORTS.—*Continued.*

Report of Select Committee 252
" Committee on Corporations 253
" " on Public Buildings 255
" Majority of Select Committee 259
" sundry committees 261
" " " 268, 269, 270
" Special Committee 276
" Committee on Internal Improvements 276
" " on Corporations 277
" " on Judiciary 281
" " on Enrolled and Engrossed Bills 283
" " on Public Printing 286
" " on Select Committee 287
" " on Special " 293
" " of Minority of Select Committee 296
" " of Majority " " 296
" " Special Committee 299
" " Select Committee 300
" " on Judiciary 301

RESOLUTIONS.

Resolved to vote for Speaker *viva voce* 6
Resolution to tender Hall to Law and Order Convention 26
" to go into joint session to elect Superintendent of Public Printing 26
" to appoint Committee on Rules 27
" to request Secretary of Territory to furnish enough desks, &c. 27
" to declare Thomas M. Crowder second Assistant Clerk 28
" to request Secretary to furnish stamped envelopes, &c. 30
" to authorize Clerk of House to employ assistant 31
" " Speaker of House to employ Assistant Clerk 31
" to furnish each member with newspapers, &c. 33
" to request Secretary of Territory to furnish each member with copy of Statutes of Kansas, &c. 34
Resolution to appoint Committee to examine Book of Forms 34
" to request the Governor to furnish House with statement of his reasons for not having commissioned W. T. Sherrard, as Sheriff 49
Resolution to appoint Special Committee on Banks 54
" to memorialize Congress of the United States to erect suitable military posts at the Pawnee Fork and Bent's Fort 66
Resolution to appoint Committee to confer with Committee from Council on bill reorganizing Judicial Districts 69
Resolution to grant leave of absence to Sergeant-at-Arms, and to appoint John S. Hamilton in his place 89
Resolution to print majority and minority reports of Committee on Banks 99
" to authorize Sergeant-at-Arms to prevent smoking during session 99
" to go into joint session with Council to elect Superintendent of Public Printing 117
Resolution to request Council to send to House the vouchers on which is based Council bill No. 19 127
Resolution to request Council to return to House, bill repealing act amendatory to act to provide for the collection of revenue 130
Resolution that House will permit no man to regulate its action, &c. 131
" to instruct Committee on Judiciary to report certain bill 135

Page

RESOLUTIONS—*Continued.*

Resolution to appoint Committee to examine Journal 138

" to request Council to return House bills sent to Council for information 138

Resolution, concurrent, presented by Mr. Anderson 165

" to request Governor to inform House, with as little delay as possible, whether he has appointed any county officers in this Territory, and if any, whom, and to what office, and under what authority 181

Resolution concerning indignities offered to Governor 189

" to order 500 additional copies of the report of Auditor to be printed 199

" to request Master of Convicts to furnish names of convicts, &c. 202

" to request Council to go into joint session to elect District Attorneys, Probate Judges, Sheriffs and County Commissioners 202

Resolution suspending rule of House requiring one day's notice previous to introduction of bill, &c. 214

Resolution to go into joint session for the purpose of filling all vacancies of Territorial officers 215

Resolution to request Engrossing Clerk to engross no more bills and to authorize him to assist Enrolling Clerk 217

Resolution to order 2000 copies of act to provide for taking of census, &c., to be printed for distribution to members of Council and House 227

Resolutions of regret and sorrow for death of Gen. Wm. P. Richardson, and of sympathy with his family and friends 228

Resolution to go into joint session with Council to elect District Attorneys to fill vacancies in 2d and 3d Judicial Districts 251

Joint resolutions of Council and House 263

Resolution to instruct Clerk to communicate to Governor that the House of Representatives would call upon him officially on certain day 265

Resolution to require Committee on Internal Improvements to report all railroad bills in their hands 267

Resolution to request Secretary of Territory to pay Sergeant-at-Arms and Doorkeeper of House ten dollars each for extra services 282

Resolution to request Council to return House bill entitled "An act to organize and define Probate Courts and their jurisdiction" 283

Resolution to instruct Clerk to send to Council original of act reorganizing Probate Courts, and to report that the House concur in Council amendment to said bill 286

Resolution to require Committee on Printing to furnish House with 500 printed copies of Convention bill 287

Resolution to order to be printed 500 copies of act to incorporate Kansas Valley Bank for the use of members 294

Resolution to authorize and require Public Printer to print 1000 copies of General Laws of present session, and have them bound in paper covers, and Local Laws bound separately in paper covers 295

Resolution to direct Clerk of House to furnish Governor with list of officers elected at joint session of Legislature 295

Resolution to tender thanks to Hon. Wm. G. Mathias for his urbanity, dignity, ability and impartiality with which he has discharged the duties of Speaker of House 297

Resolution to authorize Secretary of Territory to furnish to Comptroller and Treasurer so much of the furniture of Legislative Hall as is necessary for their offices 297

Resolved, that the manuscript Book of Forms submitted to Legislature by Hon. R. R. Rees, be recommended as eminently worthy of the confidence and patronage of all civil officers in Kansas Territory 297

Page

RESOLUTIONS—*Continued.*

- Resolved, that the two Houses at the adjournment to-night, do visit His Excellency at his office, and exhibit to him such friendly feelings as becomes one branch of our government to show to another 299
- Resolved, that a copy of resolutions be presented to His Excellency and another copy for publication 299
- Resolution that a committee of two be appointed to fix compensation of Mr. Stuck for services rendered as Enrolling Clerk of House 299
- Resolved, that Secretary of Territory be authorized to pay J. C. Stuck the sum of twenty-three dollars, &c. 299
- Resolved, that thanks of House are hereby tendered to the Speaker, and all other officers of House, for the prompt and faithful discharge of their respective duties 303
- Resolved, that a Committee of three be appointed to examine correctly the Journal 303
- Resolved, that Council be informed that House of Representatives have completed all business before them, and are ready to adjourn *sine die* 303
- Concurrent resolution to inform Governor that the two Houses have completed all business before them, and are ready to adjourn *sine die* 305

REESE, GEORGE H.

- Representative from Madison and Breckenridge counties 3
- Presented his credentials and sworn in 3
- Vote for Public Printer 28
- Appointed on Standing Committee on Finance 32
- " " " on Agriculture 32
- Vote for Superintendent of Public Printing 141
- Introduced bill to incorporate Kansas College Association 148
- Moved that joint session proceed to elect district officers 271
- Offered resolution that committees be called over and vacancies filled 274
- Votes for different district officers 272, 273, 274, 278
- Votes for County Commissioners 289, 290
- " Bank " 292

S

SERGEANT-AT-ARMS.

- Elected and sworn in 8
- Ordered to bring in absent members 95
- Authorized to prevent smoking in Hall during session 99
- Required to bring in absent members 123
- Ordered to enforce the attendance of absent members 243
- Ordered to bring in absent members 285
- Vote of thanks returned to him 303

STOUT, X. K.

- Representative from Doniphan county 3
- Presented his credentials and sworn in 3
- Moved amendment to Mr. Walker's motion 24
- Vote for Public Printer 28
- Appointed on Committee on Roads and Highways 32
- Gave notice of introduction of bill to incorporate City of Iowa Point 46
- Gave notice of bill to locate road from Doniphan to Kansas and Nebraska line, opposite Ray's Ferry, via Iowa Point 46
- Also to establish road from Marysville to Iowa Point 46

Page

STOUT, X. K.—*Continued.*

- Gave notice of introduction of bill to charter bank at Iowa Point 94
- A bill amendatory to an act to license and tax merchants 94
- Introduced petition from sundry citizens in Doniphan county 141
- Moved to refer bill to Special Committee 141
- Introduced bill amendatory to act to define boundaries of the several counties in Kansas 171
- Moved to suspend rules and take up engrossed bills for third reading 176
- Appointed on Select Committee 213
- Gave notice of introduction of bill to incorporate Marshall Town Company 213
- Excused from voting 223
- Votes for different district officers 272, 273, 278, 279
- " County Commissioners 289, 290
- " Bank " 292

SPRATT, W. W.

- Representative from Bourbon county 3
- Presented credentials and sworn in 3
- Vote for Public Printer 28
- Appointed on Committee on Public Buildings 32
- Introduced bill to locate and establish road from Fail's store to Cofachique, in Allen county, K. T. 57
- Appointed on Committee to correspond with Legislatures of Nebraska and Texas in regard to railroad 76
- Introduced bill to regulate practice of physicians 114
- Vote for Superintendent of Public Printing 141
- Moved to suspend rules 209
- Votes for different district officers 272, 273, 274, 278, 279
- " County Commissioners 289, 290
- " Bank " 292

SIMMONS, BENJ. F.

- Representative from Arrappahoe county 3
- Presented credentials and sworn in 3
- Offered resolution to appoint Committee on Rules 27
- Appointed on Committee on Rules 27
- Moved that reporter of Leavenworth Journal be admitted to a seat within Bar of House 27
- Vote for Public Printer 28
- Report of, from Committee on Rules 29
- Offered resolution requesting Secretary to furnish stamped envelopes 30
- Appointed on Committee on Corporations 32
- " " " on Elections 32
- Offered resolution that each member be furnished with newspapers 33
- " from Committee on Corporations 36
- Gave notice of introduction of bill to declare Military road from Fort Riley to Bent's Fort a Territorial Road 42
- Gave notice of introduction of bill to declare Military road from Fort Riley north-west to Nebraska line, a Territorial Road 43
- Report of, from Committee on Corporations 45
- " " " " 46
- Appointed on Committee on Banks 54
- Report of, from Committee on Corporations 60
- Offered joint resolution 66

Page

SIMMONS, BENJ. F.—*Continued.*

Appointed on Committee on Indian Affairs 71
Reports of, from Committee on Corporations 73
Report of, on House bill No. 47 74
" on House bill No. 19 75
" on House bill No. 35 75
" from Committee on Corporations 81
" on House bill No. 17 81
" on House bill No. 22 81
" from Committee on Corporations 82
" on House bill No. 11 89
" on House bill No. 36 90
" on House bill No. 49 90
" on House bill No. 28 91
" on House bill No. 9 91
" from Committee on Corporations 96
" " " " 104
" on House bill No. 27 109
Moved to take up bill to incorporate Missouri and Rocky Mountain Railroad 110
Introduced bill to incorporate the Kansas Land and Loan Association 112
Report of, from Committee on Corporations 116
" on House bill No. 23 116
" on House bill No. 25 127
" on House bill No. 33 128
" on Council bill No. 32 129
" on Council bill No. 3 131
" on bill to incorporate Woodson Town Company 136
" on bill to incorporate Lodiana Town Company 136
" on Council bill No. 56 136
" on Council bill No. 58 136
" on Council bill No. 43 137
Offered concurrent resolution 138
Report of, on Council bill No. 48 138
Introduced bill to incorporate Missouri Valley Bank 138
Report of, from Committee on Corporations 141
" on House bill No. 55 142
" on bill to incorporate Inhabitants of Town of Delaware 142
" on Council bill No. 46 142
Moved amendment and to suspend rules 149
Report of, on bill to incorporate Town of Paris 168
" on bill to incorporate Sprattsville Town Company 168
" " " Town of Agnes 169
" " " Atchison Hotel Company 169
" " " Palermo Town Association 169
" " " Greenwood Town Company 169
Report of, on House bill No. 7 175
" on bill to incorporate Big Springs Town Association 175
" " " City of Palermo 176
" on bill to incorporate Town Company of Wyola 176
Moved to take up minority and majority reports of Committee on Banks 177
Appointed on Committee on Council bill No. 39 178
Report of, on House bill to incorporate Palermo Insurance Company 192
" " " " Wheatland Town Company 192
" " " " Kansas Land Agency Company 193

Page

SIMMONS, BENJ. F—*Continued.*

Report of, on House bill to incorporate Franklin Town Company 193
" " " " Shawnee Town " 193
" " " " Lecompton Bridge " 195
" " " " Lecompton Building Association 201
" on Council bill No. 125 202
" on bill to incorporate Carolina Town Company 211
" " " Coahoma Town " 211
" " " Kansas River Bridge Company 211
" from Committee on Corporations 211
" on bill to incorporate Hiawatha Town Company 212
" " " Powhattan Town " 212
" " " Leavenworth Fire and Marine Insur. Company 212
" " " Willow Spring Manuf. and Mining " 212
" on Council bill No. 127 222
" on Council bill No. 5 222
" on Council bill No. 153 223
Introduced bill to amend charter of Leavenworth City 235
Report of, on House bills Nos. 188, 126, 137 245
" on House bills Nos. 145, 143 247
Reports of, from Committee on Corporations 249
" " " " 253
Appointed on Committee on bill to define boundaries of the several counties in Kansas 256
Report of, on bill to charter the City of Lawrence 267
Reports of, from Committee on Corporations 270
Report of, on Council bill No. 164 277
" on Council bill No. 162 282
Moved to reconsider certain bill 288
Introduced act supplemental to act to provide for taking of census and election of delegates 293
Votes for different district officers 272, 273, 274, 278
Vote for Superintendent of Public Printing 141
Votes for County Commissioners 289, 290
" Bank " 292

TEBBS, W. H.

Representative from Jefferson county 3
Presented credentials and sworn in 3
Nominated Mr. Kuykendall for Speaker 4
Nominated for Speaker by Mr. Kirk 4
Unanimously declared Speaker *pro tem.* 6
Nominated Mr. Christian for Chief Clerk 7
" W. F. Sharp for Door-keeper 8
Vote for Public Printer 28
Appointed on Committee to invite certain gentlemen within Bar of House 32
" " on Federal Relations 32
" " on Corporations 32
" " on Bounds. of Counties and Districts 32
" " on Elections 32
" " on Militia 32
" " on Governor's Message 33
Appointed on Joint Committee on part of House 42
" on Committee on Banks 54

Page

TEBBS, W. H.—*Continued.*

Introduced bill to authorize W. F. & G. M. Dyer to establish a Bridge........75
Moved to reconsider a vote........83
Introduced bill to incorporate Missouri River and Rocky Mountain R. R. C........88
Report of, from Committee on Banks........98
Moved to suspend rules and read bill second time........104
Vote for Superintendent of Public Printing........141
Report of, from Committee on Banks........165
" on Council bill No. 65........195
Offered resolution to order 500 additional copies of report of Auditor to be printed........199
Report from Committee on Elections on Council bill No. 111........202
Introduced bill for the relief of Wm. I. Preston........207
" act to incorporate Louisville Town Company........229
" act to locate Territorial Road from Olantha to Wakarusa........229
" act to incorporate Olantha Town Company........229
Appointed on Committee on act to organize Probate Courts, &c.........229
Moved to reconsider vote postponing indefinitely bill incorporating the Kansas Navigation Company........236
Moved an amendment........241
Moved to reconsider vote rejecting bill to organize Probate Courts, &c.........253
Appointed on Select Committee on act incorporating Lawrence Bridge Company........265
Elected Bank Commissioner........293
Votes for different district officers........272, 274, 278
" County Commissioners........289, 290
" Bank "........292

THOMPSON, J. C.

Representative from Douglas county........3
Presented credentials and sworn in........3
Moved that House vote by ballot for Speaker........4
Appointed Teller by Chair........4
Moved to admit reporter of "Union" within the Bar of House........4
" to proceed to the election of Sergeant-at-Arms........7
" to appoint Mr. Butcher to inform Secretary of passage of resolution........27
Offered resolution that Thomas M. Crowder be declared Assistant Clerk........28
Appointed on Committee on Corporations........32
" " on Militia........32
" " on Engrossed and Enrolled Bills........33
" " on Governor's Message........33
" " to examine Book of Forms........34
Moved substitute to Mr. Simmons' resolution........35
Moved to recommit bill No. 5 to Committee on Corporations........46
Appointed on Committee on Banks........54
Offered resolution to appoint Committee of five to confer with Committee from Council to report bill reorganizing the Judicial Districts of Territory........69
Moved to refer Mr. Simmons' resolution to Committee on Indian Affairs........71
Appointed on Committee........71
Introduced bill to amend act incorporating City of Lecompton........75
Appointed on Committee for reorganizing Judicial Districts........75
Introduced bill to incorporate the Bank of the Capital........87
Report of, from Committee on Enrolled and Engrossed Bills........90
" " " " " "........90
" " " " " "........109

Page
THOMPSON, J. C.—*Continued.*
Moved to suspend rules and take up certain bill 111
Report of, from Committee on Enrolled and Engrossed Bills 112
“ “ “ “ “ “ “ 115
“ “ “ “ “ “ “ 123
“ “ “ “ “ “ “ 126
“ “ “ “ “ “ “ 135
Introduced a bill to establish a Bank at Lecompton 136
Moved to reconsider vote of approval of Journal 139
Vote for Superintendent of Public Printing 141
Report of, from Committee on Enrolled and Engrossed Bills 142
Appointed on Special Committee 152
Moved that the Council be requested to return House bills Nos. 14, 3 and 7, improperly sent to that body 153
Report of, from Committee on Corporations 154
Introduced bill to authorize City of Lecompton to issue bonds 177
“ bill to incorporate the Lecompton Building Association 177
Report of, on Council bill No. 93 181
“ “ “ No. 76 181
“ “ “ No. 96 182
“ “ “ No. 36 182
“ from Committee on Enrolled and Engrossed Bills 183
Introduced bill to incorporate Coahoma Town Company 196
Report of, from Committee on Enrolled and Engrossed Bills 205
“ “ “ “ “ “ 207
“ on Engrossed and Enrolled Bills 214
Offered resolution that certain rule be suspended, and that no member shall introduce bills after a certain day 214
Moved that Speaker of the House appoint a sufficient number of Enrolling Clerks 227
Introduced bill to incorporate the Versailles Town Company 232
“ bill to incorporate Lexington Town Association 232
Report of, from Committee on Enrolled and Engrossed Bills 235
Offered resolution that both Houses go into joint session to elect district officers 251
Moved to refer act to charter City of Lawrence to Committee on Corporations 264
Offered resolution that the Clerk communicate to Governor that the House would call upon him officially 265
Appointed on Select Committee on act to incorporate Lawrence Bridge Com'y 265
Moved to order call of the House 266
“ to dispense with further proceedings under the call 266
“ that joint session proceed to vote for district officers *viva voce* 271
Report of, from Committee on Enrolled and Engrossed Bills 283, 284
“ “ “ “ “ “ 286
Moved that substitute to certain law be taken up 287
Moved that majority report of Select Committee to relocate county seat of Douglas, be agreed to 296
Moved to reconsider vote on relocation of county seat of Douglas 302
Offered resolution that Committee be appointed to examine Journal 303
Appointed on Committee 303
Report of, from Committee on Engrossed Bills 305

V

VAUGHAN, W. A. N.
Representative from Shawnee county 4
Presented credentials and sworn in 4

Page

VAUGHAN, W. A. N.—*Continued.*

Nominated Mr. Huston for Engrossing Clerk 25
Moved amendment to Mr. Butcher's resolution 27
Vote for Public Printer 28
Appointed on Committee on Public Buildings 32
" " on Engrossed and Enrolled Bills 33
Gave notice of introduction of bill to incorporate Mine Hill Railroad Company .. 69
Moved to take up certain bill 113
Appointed on Committee to examine correctness of Journal 138
Vote for Superintendent of Public Printing 141
Introduced act to incorporate the Brownville Town Company 170
Report of, *from* Committee on Enrolled and Engrossed Bills 175
" " " on Engrossed Bills 196
Appointed on Committee on bill amendatory and supplemental to an act to license and tax merchants 213
Appointed on Committee on bill ordering 500 copies of House resolution and Governor's Message to be printed 261
Report of, from Special Committee on bill authorizing payment of $129 80 to Geo. Matney 274
Moved to take up bill entitled "An act more particularly to define the boundaries of the several counties" 282
Moved to suspend rules 282
Report *of, from* Committee on Enrolled Bills 284
" " " on Engrossed and Enrolled Bills 297

W

WATERSON, T. W.

Representative from Doniphan county 3
Presented credentials and sworn in 3
Nominated for Speaker by B. O'Driscoll 4
Moved to proceed to the election of Assistant Clerk 7
Moved to fill blank in certain bill 25
Appointed on Committee on Rules 27
Vote for Public Printer 28
Moved that the word requested be substituted for the word required 30
Moved that Clerk inform Secretary of passage of certain resolution 30
Moved an amendment 31
Appointed on Committee on Finance 32
" " on Elections 32
" " on Agriculture 32
" " on Engrossed and Enrolled Bills 33
" " to examine Book of Forms 34
Moved that each member furnish the Clerk with a list of his newspapers, not exceeding in amount $5 35
Gave notice of introduction of bill to repeal so much of act defining the boundaries of counties as relates to Brown and Doniphan counties, and for the immediate organization of Brown county 40
On motion of, rules suspended, &c. 41
Moved to take up bill establishing office of Superintendent of Public Printing 42
Report of, from Committee on Agriculture on Council bill No. 2 44
" " " " on Council bill No. 6 44
Gave notice of introduction of bill to extend the time of Commissioners appointed to locate certain Territorial Road 46
Also of bill to locate a Territorial Road from Lecompton to Roseport 46

Page

WATERSON, T. W.—*Continued.*

Appointed on Committee on Public Printing....49
Introduced bill to detach Brown county from county of Doniphan, &c....50
Introduced bill supplemental to act to establish certain Territorial Road....55
Gave notice of introduction of "An act to amend an act to regulate executions"....56
Moved amendment to Mr. Thompson's joint resolution....70
Gave notice of introduction of bill to amend an act concerning strays....71
Appointed on Committee for reorganizing Judicial Districts....75
Report of, from Committee of Whole House....76
On motion of, House resolved itself into Committee of the Whole....95
Report of, from Committee on Agriculture on House bill No. 35....97
Introduced bill to amend an act regulating executions....112
Introduced bill to amend an act concerning strays....119
" " " "....127
" " " " on Council bill No. 83....132
Introduced bill to incorporate Topeka Bridge Company....134
Offered substitute to certain resolution....135
Moved to refer petition of citizens of Doniphan county to Committee on Bounds and Districts....141
Vote for Superintendent of Public Printing....141
Introduced bill to incorporate the Bank of Palermo....143
Introduced bill to incorporate Palermo Town Company....143
" " " City of Palermo....143
Moved all bills passed be sent to Council....146
Moved to amend district bill by rider....149
Appointed on Committee on act to incorporate Atchison and Lecompton Railroad Company....150
Moved to reconsider vote on bill redistricting Territory of Kansas....153
Introduced bill to incorporate Palermo Insurance Company....170
" " " St. Bernard Town "....170
" " " a Territorial Road from Palermo to Fort Riley....171
" " repealing certain oaths....177
Moved to amend an act to provide for the pay of officers and others....176
Appointed on Select Committee on certain bill....179
Report of, from Committee of Whole House on bill repealing certain oaths....180
" from Committee on Agriculture on Council bill No. 73....202
Offered resolution that Master of Convicts be required to give name of convicts in his charge, &c....202
Presented a memorial from Probate Judge and Sheriff of Riley county....204
Report of, from Committee on Enrolled and Engrossed Bills....205
Introduced bill for the establishment of Ferry at Palermo....207
Report of, from Committee on Enrolled and Engrossed Bills....214
Appointed from House to attend Maj. General Richardson's remains to place of interment, and to present resolutions of House to family and friends of deceased....223
Moved to go into election for officers of Brown county....273
Report of, from Committee on Enrolled and Engrossed Bills....283
Nominated C. Dolman for Probate Judge of Nemaha county....290
Elected Bank Commissioner....292
Report of, from Committee on Engrossed and Enrolled Bills....296
Appointed on Special Committee on bill to incorporate Roseport Insurance Company....299
On motion of, "An act to allow Governor three days after adjournment to sign certain bills" was taken up....302

Page

WATERSON, T. W.—*Continued.*
Offered resolution thanking officers of House for the prompt and faithful discharge of their duties 303
Votes for different district officers 272, 292

WALKER, M. R.
Representative from Leavenworth county 3
Presented credentials and sworn in 3
Moved to print 1200 copies of Governor's Message for distribution 24
Moved amendment to Mr. Martin's concurrent resolution 27
Vote for Public Printer 28
Appointed on Committee on Internal Improvements 32
“ “ on Accounts 33
Introduced bill to establish road from Wyandott to Lecompton 33
“ “ to incorporate National Hotel Company 33
“ “ to establish road from Wyandott to Parkville 34
“ “ to incorporate Kansas Land Agency Company 34
“ “ to incorporate Wyandott City Company 48
“ “ to incorporate Kansas Stock “ 52
“ “ to establish Territorial Road 56
Appointed on Committee on Indian Affairs 71
Introduced bill to establish Ferry at Quindaro 90
“ “ to establish road from Wyandott to Atchison 94
“ “ to incorporate Tauroma Town Company 94
In the Chair 95
Offered resolution that Sergeant-at-Arms be authorized to prevent smoking in the Hall while House is in session 99
Introduced bill to incorporate Missouri River and Pacific Railroad Company 112
“ “ “ the Town of Quindaro 112
“ “ amendatory of act to provide for Collection of Revenue 136
“ “ to incorporate City of Wyandott 148
Presented remonstrance against certain bill 197
Introduced bill to authorize the Board of County Commissioners to appoint inspectors of liquors 231
Introduced bill to establish road from Leavenworth to Peora 231
“ “ “ Ferry at Parrish's landing 232
“ “ “ Ferry 232
“ “ to distribute the Laws 242
Moved amendment to certain bill 264
Nominated ticket for election of officers of Brown county 273
Vote for different district officers 272, 273, 274, 278
“ County Commissioners 289, 290
“ Bank “ 292

WHITE, MARTIN.
Representative from Lykins county 130
Presented credentials and sworn in 130
Appointed on Select Committee on report of Committee on Internal Improvements 150
Introduced an act to lay out and establish a Territorial Road from Paola to Fort Scott 170
Offered resolution with regard to Wm. T. Sherrard 187
Withdrew resolution 187
Moved to take up House bill prescribing oaths of officers, &c. 199
Votes for different district officers 272, 273, 274, 278
Vote for County Commissioners 289, 290
“ Bank “ 292